

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION  
RUSSELL SCOTT FARIA, )

Plaintiff, ) Cause No. 4:16CV-01175-JAR

vs. )

SERGEANT RYAN J. MCCARRICK, )  
et al., )

Defendants. )

VIDEO DEPOSITION OF LEAH L. ASKEY  
VOLUME ONE  
Taken on behalf of the Plaintiff  
Monday - October 23, 2017

Reported by Jane Rich, CCR #411  
COURT REPORTING ASSOCIATES  
P.O. BOX 440014  
BRENTWOOD, MO 63144  
(314) 961-6306 - 265-4602 (Cell)

1 Christopher L. Heigele, with the law firm of Coronado,  
2 Katz, LLC, 14 West Third Street, Suite 200, Kansas City,  
3 Missouri 64105. Also present: Ms. Leah Askey and Mr.  
4 Neil Bruntrager, personal counsel for Ms. Askey.

5 The Defendant, Lincoln County, was represented  
6 by Mr. Joel D. Brett, with the law firm of Barklage, Brett  
7 & Hamill, P.C., 211 North Third Street, St. Charles,  
8 Missouri 63301.

9 The Defendant, Merkel, was represented by Mr. J.  
10 C. Pleban, with the law firm of Pleban, Petruska Law, LLC,  
11 2010 S. Big Bend Blvd., St. Louis, Missouri 63117.

12 Also present: Mr. Mike Merkel.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Exhibit  
2

1 IN THE UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF MISSOURI  
3 EASTERN DIVISION  
4 RUSSELL SCOTT FARIA, )

Plaintiff, ) Cause No. 4:16CV-01175-JAR

vs. )

6 SERGEANT RYAN J. MCCARRICK, )  
et al., )

7 Defendants. )  
8  
9

10 VIDEO DEPOSITION OF LEAH L. ASKEY, taken on  
11 behalf of the Plaintiff, on the 23rd day of October, 2017,  
12 between the hours of eight o'clock in the forenoon and six  
13 o'clock in the evening of that day, in the conference room  
14 of the law offices of Barklage, Brett & Hamill, P.C., 211  
15 North Third Street, St. Charles, Missouri, before Jane M.  
16 Rich, Missouri CCR license #411.

#### 17 APPEARANCES

18 The Plaintiff was represented by Mr. W. Bevis  
19 Schock, Attorney at Law, 7777 Bonhomme, Suite 1300,  
20 Clayton, Missouri 63105. Also present: Mr. Nathan  
21 Swanson, co-counsel.

22 The Defendant, McCarrick, was represented by Mr.  
23 Jason Retter, with the law firm of King, Krehbiel &  
24 Hellmich, 2000 North Hanley, St. Louis, Missouri 63144.

25 The Defendant, Askey, was represented by Mr.

1 o-o-o

2 LEAH L. ASKEY,

3 of lawful age, having been first duly sworn to testify to  
4 the truth, the whole truth, and nothing but the truth,  
5 deposes and says on behalf of the Plaintiff as follows:

#### 6 DIRECT EXAMINATION

#### 7 QUESTIONS BY MR. SCHOCK:

8 Q Miss Askey, as you know, my name's Bevis  
9 Schock.

10 A Yes.

11 Q Would you please state your name?

12 A My name is Leah Lenay Womack Askey.

13 MR. SCHOCK: And let's do our announcements.  
14 I represent the plaintiff, Russell Faria.

15 MR. SWANSON: Nathan Swanson for plaintiff.

16 MR. RETTER: Jason Retter for defendants  
17 McCarrick, Merkel and Harney.

18 MR. PLEBAN: J.C. Pleban for Merkel.

19 MR. MERKEL: Mike Merkel.

20 MR. BRETT: Joel Brett for Lincoln County.

21 MR. HEIGELE: Chris Heigele for defendant  
22 Askey.

23 MR. SCHOCK: Miss Askey, I want to start by  
24 stopping and waiting for the lawn mower to go by.  
25 [Whereupon, there was a short pause].

Page 5

1 Q (By Mr. Schock) Okay. Let's get going again.  
 2 Kind of a false start there.  
 3 Ma'am, I want to ask you a little bit about your  
 4 training and your life. So you went to college at San  
 5 Diego; right?  
 6 A I did.  
 7 Q And then you went to law school at St. Louis  
 8 University?  
 9 A Correct.  
 10 Q And when did you getting get out of St. Louis  
 11 University?  
 12 A 2006.  
 13 Q And tell me what -- when you were admitted to  
 14 the bar?  
 15 A October of 2006.  
 16 Q And did you work in the legal field right  
 17 away?  
 18 A I did.  
 19 Q Who did you work for?  
 20 A Myself.  
 21 Q So you started a solo practice?  
 22 A I did.  
 23 Q Where was that?  
 24 A In Troy.  
 25 Q And how long did you do that?

Page 6

1 A Until I became the elected prosecutor.  
 2 Q Tell me what kind of cases you handled as  
 3 the -- in private practice.  
 4 A A little bit of everything.  
 5 Q Some criminal?  
 6 A Yes.  
 7 Q Domestic?  
 8 A Yes.  
 9 Q Personal injury?  
 10 A Yes, I think so, yeah a couple of those.  
 11 Q Did you try any cases to jury verdict in  
 12 private practice?  
 13 A One.  
 14 Q What kind of case was that?  
 15 A It was a civil case.  
 16 Q Tell me a little bit about it, just very  
 17 briefly.  
 18 A It was a -- I represented a guy who had a  
 19 Rainbow vacuum franchise and he was being sued by, for,  
 20 I think there was like unfair debt collection issues,  
 21 and he was being sued by the person who purchased the  
 22 Rainbow vacuum, but didn't pay for it, and so I  
 23 represented him.  
 24 Q And that went to jury verdict?  
 25 A Correct.

Page 7

1 Q So when you became the elected prosecutor,  
 2 that was your only jury trial; is that right?  
 3 A That's correct.  
 4 Q Now you started prosecutors in two thousand --  
 5 A Eleven.  
 6 Q And that was?  
 7 A January 1st.  
 8 Q January?  
 9 A Uh-huh.  
 10 Q And this murder happened very late in 2011  
 11 right?  
 12 A Correct.  
 13 Q How many jury trials did you try during your  
 14 first year?  
 15 A I don't know.  
 16 Q Did you try any?  
 17 A Yes. I think my first trial was in January of  
 18 2011.  
 19 Q And is that a crime -- I assume they're all  
 20 criminal cases?  
 21 A Correct.  
 22 Q Okay. And so you really can't tell me how  
 23 many you have done?  
 24 A I, I can't, no.  
 25 Q Do you think you've done as many as one or two

Page 8

1 a month?  
 2 A No. Probably -- I mean, I would just be  
 3 guessing, but I would average probably five or six a  
 4 year, I would say.  
 5 Q I understand. When you became the elected  
 6 prosecutor, did you have any special training, either  
 7 before you ran, during the campaign, after your  
 8 election, before your swearing in and beginning office,  
 9 in how a prosecutor is supposed to function in the  
 10 Missouri justice system?  
 11 A Can you rephrase that?  
 12 Q Sure. So we got -- You decided to run at some  
 13 point; right?  
 14 A Correct.  
 15 Q And you ran a campaign?  
 16 A I did.  
 17 Q And you won?  
 18 A I did.  
 19 Q Okay. And during the time up to that  
 20 election, did you take any special training, go to any  
 21 classes given by the Attorney General, or anybody else,  
 22 about how one works as a prosecutor in the State of  
 23 Missouri justice system?  
 24 A No.  
 25 Q How about after your election, but before you

Page 9

Page 11

1 assumed office?

2 A No.

3 Q How about after you assumed office until --  
4 well, for the whole first year, 2011?

5 A Yes.

6 Q Okay. Tell me about that.

7 A My first training was on January 13th of 2011,  
8 and it was an elected prosecutor's meeting and training  
9 for newly elective, and I went to that in Jefferson  
10 City.

11 And then thereafter, we always -- the  
12 Prosecutor's Association, Missouri Association of  
13 Prosecuting Attorneys, we have two conferences each year  
14 that specialize in just prosecution, and that type of  
15 training, case law updates, changes in the law, anything  
16 like that.

17 Q Did -- Let's take that very first one on  
18 January 13. So you're there with the other rookies;  
19 right?

20 A All of the electives that could be there, but  
21 there were some of us that were newly elected.

22 Q I understand. And how many days was that?

23 A I don't remember.

24 Q I mean, was it two or three days? I mean, was  
25 it just a morning long, or give me a sense of it?

Page 10

Page 12

1 A Well, I know I stayed in a hotel at least a  
2 couple of days, I think, but I don't remember how many  
3 days, or how many hours it counted for.

4 Q Various seminars and speakers, that sort of  
5 thing?

6 A Correct.

7 Q Would you say that there's any specific one or  
8 two major take-aways from that? I am curious whether  
9 there are any, and what they are.

10 A I don't remember specifically.

11 Q Would you say one of them is, you're supposed  
12 to do justice?

13 A I don't remember specifically that we had a  
14 specific class regarding that.

15 Q You've held the office of prosecuting attorney  
16 now for six or seven years; right?

17 A Seven, yeah.

18 Q Almost seven?

19 A Yeah.

20 Q Do you believe that it is the prosecutor's  
21 first duty to do justice?

22 A I believe that's one of our duties.

23 Q What are some of the other primary duties of  
24 of a prosecutor?

25 MR. HEIGELE: As far as her opinion?

1 Q (By Mr. Schock) Based on your understanding  
2 today of the job, based on your knowledge, your  
3 experience, your life experience, your attorney  
4 training, everything, the whole bit.

5 A I think part of the job is to serve my  
6 community; part of my job is to be a good steward of the  
7 tax dollar; part of my job is to see to it that justice  
8 is served and that our witnesses are protected; part of  
9 it is to provide safety, or ensure safety, and educate  
10 about safety in our community where we live; part of it  
11 is to serve as liaison between our law enforcement  
12 agencies within the county that I work; part of it is to  
13 work with my county commission to do the best job I can  
14 to be a good steward of the tax dollar and to represent  
15 the county in the best way that I know how.

16 I think there are just a lot of, a lot of things  
17 that go into the job that I do.

18 Q Would you agree that one of the jobs is to  
19 scrupulously follow the Missouri Rules of Court?

20 A Sure.

21 Q In all prosecutions; right?

22 A Sure.

23 Q How many attorneys work in your office, other  
24 than you today?

25 A Currently, five.

1 Q How many when you first started in 2011?

2 A I don't remember.

3 Q Okay. When you assumed office -- First of  
4 all, were you in a contested election that first time?

5 A I was in -- I'm rethinking. I actually now  
6 have four. We offered a job to another attorney, but he  
7 isn't currently working there, so I have four attorneys  
8 and then myself. Five total. Sorry.

9 Q And I appreciate your correcting yourself.  
10 And any time today that you figured out that you've made  
11 an answer and it needs to be corrected, just stop and  
12 we'll correct it; okay?

13 A Perfect.

14 Q And if you forget something and then you  
15 remember it after the deposition, or you want to correct  
16 it later, let your attorney know and he'll let me know;  
17 fair enough?

18 A Fair enough.

19 Q So let's go back to this election. Was it a  
20 contested election in 2011?

21 A Yes.

22 Q Primary and general, or both?

23 A Just primary.

24 Q There's a contested primary, so there was no  
25 Democrat that ran?

Page 13

1 A We were both Democrats.  
 2 Q You were both Democrats. Sorry.  
 3 And was the, was the person you ran against the  
 4 sitting prosecuting attorney?  
 5 A He was.  
 6 Q So unseated someone who would had been in that  
 7 office?  
 8 A Correct.  
 9 Q And who was that person?  
 10 A G. John Richards.  
 11 Q And did Mr. Richards have some attorneys  
 12 working for him in 2010 before you became the  
 13 prosecutor?  
 14 A He did.  
 15 Q And what happened to those people, as far as  
 16 retention into your administration?  
 17 A Some of them stayed and worked with me, and  
 18 some of them chose not to.  
 19 Q How many stayed?  
 20 A Three.  
 21 Q And how many were -- How many didn't stay?  
 22 A Two.  
 23 Q So that would have been, he had five?  
 24 A I don't know that. I know of two that didn't  
 25 stay. I don't know if he had more than that.

Page 14

1 I gave them the opportunity to interview if they  
 2 wanted the position, and the ones that interviewed, I  
 3 hired.  
 4 Q And you hired some new people, too?  
 5 A Not right away. Actually, three attorneys  
 6 stayed, I believe.  
 7 Q I'm not too worried about the exact number.  
 8 I'm just trying to get a feel for this office is all I'm  
 9 trying to do right now.  
 10 A Yeah. I think I hired one attorney, I brought  
 11 one attorney in.  
 12 Q And all the people who work as attorneys in  
 13 your office report to you; is that right?  
 14 A What do you mean report to me?  
 15 Q Well, you're their boss?  
 16 A I am. But what do you mean -- I don't  
 17 understand report to.  
 18 Q Well, by just report to, I mean that that  
 19 person has to treat you as the boss, and you set policy  
 20 in the office and run the office; right?  
 21 A I am the boss in the office, but to say anyone  
 22 comes in and reports to me on a daily basis would be  
 23 inaccurate.  
 24 Q Are you responsible for assigning cases, for  
 25 example?

Page 15

1 A Yes.  
 2 Q Is there a system you put in place for that?  
 3 A Correct.  
 4 Q Was that put in place pretty early after you  
 5 became prosecutor?  
 6 A It's been an evolving system depending on  
 7 who's working there, and depending on our case load.  
 8 Q Okay. When you hired in 2011, if I heard you  
 9 right, maybe there was just one new hire and then some  
 10 retained; is that right?  
 11 A I believe so.  
 12 Q What did you consider to be the qualifications  
 13 for a person to serve as a prosecutor when you made that  
 14 hire?  
 15 A Well, obviously, they had to have their law  
 16 license. The person that I hired had 25 years  
 17 experience, I think.  
 18 Q As a lawyer, or as a prosecutor?  
 19 A As a lawyer, as a prosecutor, as a judge, all  
 20 of those things.  
 21 Q And who was that?  
 22 A George Gundy.  
 23 Q Does he still work for you?  
 24 A No. He retired.  
 25 Q When you hired those people, did you tell them

Page 16

1 that --  
 2 A Let me go back.  
 3 Q Okay.  
 4 A He, he retired, but he does still do special  
 5 appointments on different types of cases that may be  
 6 over, overly burdensome for the office to handle, so he  
 7 still does that on a contract basis with the county.  
 8 Q Would you agree with the statement then when  
 9 you made that hire, you expected that person to do  
 10 justice?  
 11 A Sure.  
 12 Q In other words, I want to draw a distinction  
 13 between just getting convictions and doing justice.  
 14 Do you agree that to do justice means that if  
 15 you're in a prosecution and you reach a personal  
 16 conclusion that the defendant is not guilty, that the  
 17 charge should be dismissed?  
 18 A I do.  
 19 Q Do you believe that all your people should  
 20 follow that?  
 21 A I do.  
 22 Q Let's go right to this murder. When did you  
 23 first become aware that there had been a murder on Sumac  
 24 Drive in Lincoln County?  
 25 And let me just give you, the date might help.



Page 17

Page 19

1 The murder happened on the evening of the 27th of  
2 December, 2011.

3 You agree with that date; right?

4 A Correct.

5 Q So tell me in reference to that time when you  
6 first learned there was something.

7 A When I first learned that there was a murder,  
8 or I first learned that there was a death?

9 Q Very good correction. Let's go with death.

10 A That evening of the 27th.

11 Q And how did you learn about that?

12 A I don't remember exactly who called me, but  
13 typically when there is a death, someone, either  
14 dispatch, or someone from law enforcement will call and  
15 let me know that they're headed to a scene because there  
16 is a death, and they'll keep me posted if something is  
17 amiss.

18 Q Okay. Now, when you talk about a death of  
19 some very old person, dies in the hospital, that's not  
20 what we're talking about; right?

21 A Correct.

22 Q So this is a death that is of any suspicious  
23 circumstances?

24 A I wouldn't say any suspicious circumstances,  
25 and that, again, has kind of evolved.

1 A I don't think I had a procedure in place with  
2 regard to that. I think they probably -- I would just  
3 be speculating.

4 Q Okay. That's fine. Did -- We've said "they."  
5 I think you said you don't remember who called?

6 A Correct.

7 Q Is it your presumption it might have been  
8 somebody from the sheriff's office, or dispatch in the  
9 sheriff's office; does that sound right?

10 A It would have been somebody that knew of the  
11 call, so I don't, I don't know if it was the sheriff, or  
12 the sheriff's office, you know, a deputy, or -- I don't  
13 know exactly who it was. Or it may have been dispatch  
14 for that matter.

15 [Whereupon, Mr. Neil Bruntrager entered the  
16 room].

17 Q What did you do in response to that phone  
18 call?

19 A Nothing.

20 Q So it was late at night probably?

21 A Yes.

22 Q Did you just go to bed?

23 A Yes.

24 Q Kept your phone in a position where you could  
25 be awakened?

Page 18

Page 20

1 Q Talking about 2011 right now.

2 A And I don't really remember in 2011 what the  
3 situation was with regard to when they would contact me.

4 I just remember I got a call that they were  
5 going out to a, to a residence that had been called in as  
6 a suicide, and they let me know if, in fact, it was.

7 So normally, if there's a suicide, or something  
8 like that, that's when I get a call. Not if someone, you  
9 know, dies in their sleep, or whatever.

10 Q Right. Of course. I understand.

11 They gave you the address?

12 A No.

13 Q They gave you the name?

14 A No.

15 Q Just told you they were on their way to a  
16 situation?

17 A Yeah. Basically, make sure your phone's on  
18 and don't be in a sound sleep, essentially, you know,  
19 giving me a heads-up, it's late in the evening, and just  
20 giving me a heads-up that --

21 Q So why do you think that you personally were  
22 called?

23 A Because I'm the prosecutor.

24 Q Was it your procedure in place that they would  
25 always call you?

1 A Correct.

2 Q And what was your next contact regarding the  
3 situation?

4 A I don't remember specifically. That I, I  
5 don't remember specifically.

6 Q Do you think they called you that night?

7 A I don't believe so.

8 Q Now you're aware now that the Major Case Squad  
9 was called out that night; correct?

10 A Correct.

11 Q Did you know that evening that the Major Case  
12 Squad was going to be involved?

13 A No.

14 Q So you don't remember being called that night,  
15 so is it a fair bet that you got up the next morning and  
16 somehow had further involvement in this situation?

17 A Yeah. As I recall, if memory serves me  
18 correctly, I got a call that morning when I was getting  
19 ready.

20 Q To go to work?

21 A Uh-huh. Getting my kids ready, yeah, and  
22 said, you know, when will you be in, essentially.

23 Q To the office?

24 A Correct.

25 Q And you said pretty soon?

Page 21

1 A As soon as I drop the kids off, right.  
 2 Q And you went in?  
 3 A Correct.  
 4 Q Now what happened in connection, your  
 5 involvement in this situation after you got to work that  
 6 morning?  
 7 A I don't remember specifics. I mean, I would  
 8 have gone next-door to the sheriff's office where the  
 9 Major Case Squad would have set up shop just to say I'm  
 10 here, I'm around, I'm next-door.  
 11 Q You just said you would have. Did you do  
 12 that?  
 13 A I'm sure I did at some point. I don't know if  
 14 I did that as soon as I got there, if I went into my  
 15 office first, I don't remember if there was a docket  
 16 that day. I don't know.  
 17 Q You had your regular duties?  
 18 A Correct.  
 19 Q So when you went into the Major Case Squad, do  
 20 you remember who was there?  
 21 A No.  
 22 Q There was a guy named Schimweg who was head of  
 23 the Major Case Squad for this murder; correct?  
 24 A Correct.  
 25 Q Do you think he was there? Do you know him?

Page 22

1 A I know him.  
 2 Q Was he there?  
 3 A I don't remember if he was there when I got  
 4 there, or not.  
 5 Q How about, was McCarrick, Mr. McCarrick?  
 6 A Again, I don't remember specifically who was  
 7 in the room.  
 8 Q Did you gain knowledge when you went over  
 9 there about what was known at that point by law  
 10 enforcement?  
 11 Did you talk to them about the murder?  
 12 A I don't remember specifically speaking to  
 13 anyone specific.  
 14 I know that -- Again, I would be, I would be  
 15 speculating what typically would happen.  
 16 I'm sure the sheriff was around, McCarrick was  
 17 probably around, because I think he was the report writer,  
 18 so he would have likely been there.  
 19 I don't remember when Lieutenant Schimweg  
 20 arrived, if he had arrived prior to me getting there, or  
 21 after. I don't, I don't know those things.  
 22 Q Okay. That's fine. Do -- Mr. McCarrick said  
 23 that there were meetings each day of the Major Case  
 24 Squad personnel, and I think he said that only the  
 25 people who were available would come, but these meetings

Page 23

1 would happen two or three times a day.  
 2 Do you remember when he said that? Were you  
 3 present for his deposition?  
 4 A I was.  
 5 Q And do you remember when he said that?  
 6 A I do.  
 7 Q Is that consistent with your memory?  
 8 A The Major Case Squad commander would have  
 9 briefings usually in the morning and in the afternoon  
 10 for whomever had returned from whatever lead they were  
 11 on.  
 12 Q And did you attend any of those briefings?  
 13 A I did.  
 14 Q So it went on for the 28th, 29th, 30th, and  
 15 31st, according to Mr. McCarrick; does that sound right  
 16 for you?  
 17 A That sounds correct.  
 18 Q So roughly, two a day of these briefings;  
 19 right?  
 20 I'm not saying exactly, because he wasn't sure,  
 21 but that range; does that sound right?  
 22 A Yeah. I don't know if they had more, or less  
 23 than that. I wasn't there all day. I didn't sit over  
 24 there. So, if I was in the building, or if I knew that  
 25 they were going to have a briefing at a specific time

Page 24

1 and I was available, and not in court, or doing  
 2 something else, I would come over to hear, to listen.  
 3 Q Somehow you got word of what time they were  
 4 going to be?  
 5 A Correct.  
 6 Q So let's just talk about this very first day.  
 7 Did you go to a briefing on the 28th?  
 8 A I don't remember if I did, or didn't.  
 9 Q When did you find out that this death,  
 10 apparently, was a murder?  
 11 A Some time on the 28th.  
 12 Q And Mr. McCarrick seemed pretty confident  
 13 that -- there was a consensus in law enforcement very  
 14 quickly that it was a murder and not a suicide; do you  
 15 remember that in his depo?  
 16 A That's correct.  
 17 Q Okay. And is that -- is your memory of those  
 18 early meetings on the 28th with the Major Case Squad  
 19 consistent with that, that it was a murder, not a  
 20 suicide?  
 21 A Yes.  
 22 Q Now, it turns out that that morning there were  
 23 some interviews by Major Case Squad with Pam Hupp, and  
 24 with people who had been known later as the alibi  
 25 witnesses.

Page 25

1 Do you remember learning on the 28th that those  
2 interviews had taken place?

3 A No.

4 Q Did you learn that day that Russ Faria was a  
5 suspect?

6 A No.

7 Q When do you think you learned that?

8 A I don't recall.

9 Q Now when you said you -- I think the question  
10 was, did you learn Russ Faria was a suspect on the first  
11 day, is it that you don't remember, or you're certain  
12 you didn't learn of that the first day?

13 A I don't remember what day I learned of it.

14 Q Do you remember whether, on that first day,  
15 you gave any directives to law enforcement about how to  
16 conduct the investigation?

17 A I never gave any directives to law  
18 enforcement.

19 Q Would you say that that applies to all four  
20 days of the Major Case Squad call-out?

21 A Yes.

22 Q So I don't have to ask anymore questions about  
23 that, you are a hundred -- I'm not trying to beat the  
24 horse here, but I just want to make absolute clear, is  
25 it your position that you gave no directives to anybody

Page 27

1 morning and in the afternoon, evening, but I don't know  
2 if they had others during the daytime.

3 Q We've already covered that. I don't mean to  
4 be going over the same material again.

5 I'm trying to get at your role in those  
6 briefings. You said you attended some of them, you don't  
7 remember how many; right?

8 A Correct.

9 Q And do you think you ever spoke at any of  
10 those meetings?

11 A Sure.

12 Q Okay. Tell me some of the things you said.

13 A I don't have any idea.

14 Q Did you, for example, ever say that the law  
15 enforcement should be looking at all possible suspects?

16 A No, I don't -- I mean, I don't remember  
17 anything specifically that I said.

18 Q Do you -- So I guess we can just leave it like  
19 that. Let me just ask the question one more time to be  
20 sure.

21 So as you're sitting here today, you don't  
22 remember anything you said at any of those briefings?

23 A No. I mean, nothing specific. I would have  
24 just been communicating. I mean, I didn't sit there  
25 silently.

Page 26

1 in law enforcement during the Major Case Squad call-out?

2 A I did not direct any investigation, nor have I  
3 ever.

4 MR. HEIGELE: Excuse me, excuse me.

5 Q (By Mr. Schock) Slightly different question  
6 than that.

7 Did you give any directives, any, any  
8 statements, such as try this, or give that lead to anybody  
9 in law enforcement during those first four days?

10 A No.

11 Q Would you say that you were an observer during  
12 those briefings, as opposed to a participant?

13 MR. HEIGELE: To the extent it's vague, I  
14 object, but if you understand what he's saying.

15 A I don't really understand what you're --

16 Q (By Mr. Schock) Sure. Well, you said you  
17 went to some of these briefings, we don't have a number,  
18 we don't remember the exact number; fair enough?

19 A Fair enough.

20 Q But you went to some of them?

21 A Correct.

22 Q And they're having them roughly two a day;  
23 right?

24 A I don't know how many they were having, but I  
25 know that they would typically have at least in the

Page 28

1 Q And I, I understand, so I'm trying to get at,  
2 do you remember anybody saying anything that you  
3 responded to, any sort of remark made by somebody where  
4 you spoke up?

5 A Not specifically in this investigation, I  
6 don't recall. I mean, I, I could tell you some of the  
7 things that I might say in meetings like that.

8 Q Well, I don't think I'd care about what you  
9 might have said. I think I care about what you remember  
10 that you did say.

11 A I don't remember specifically, you know,  
12 anything. I'm sure I asked, you know, questions with  
13 regard to locations of different things, or which gas  
14 station, or what bank, or what, you know, just for my  
15 own personal knowledge, because I grew up around there  
16 and I kind of know geographically where things are, so I  
17 would have asked questions like that.

18 Q So you said your questions might relate to  
19 where Russ Faria went that night; would that be a fair  
20 statement?

21 A Not necessarily where he went, but I can --  
22 and again, I'm completely speculating, but --

23 Q Well, I don't want you to completely  
24 speculate.

25 A Okay.

Page 29

1 Q I thought when you were talking a moment ago  
2 you began to have some recall of some of the things you  
3 said, and that's what I'm interested in.

4 A I'm just recalling my role typically in a  
5 situation, but I don't remember specifically about this  
6 Major Case call-out. I don't remember specific  
7 questions that I would have asked.

8 I just know typically the kinds of questions I  
9 would ask.

10 Q Okay. So let me go into some specifics about  
11 the case and see if that triggers some of your memory.

12 There's been some discussion about a paw print  
13 from the Faria dog on the pos derriere of the victim,  
14 Betsy Faria.

15 Do you remember anything about the paw print?

16 A I remember that someone said there was a paw  
17 print.

18 Q Do you know who that someone was?

19 A It was someone in the briefing.

20 Q And do you remember whether you made any  
21 comments, or made any suggestions about such a paw  
22 print?

23 A I don't remember making any suggestions, or  
24 comments.

25 Q Okay. Do you remember anything about any

Page 30

1 suggestions that the dogs paws be checked for blood?

2 A I remember that that's -- Wait. Can you  
3 rephrase that question?

4 Q Sure. There's an issue in the case that  
5 relates to the question whether the dog's paws would be  
6 checked to see if there was blood on them.

7 And my question is, do you remember you're  
8 having any role in regard to that issue?

9 A I don't remember any role that I played, no.

10 Q There's -- So when was the first time you  
11 visited the crime scene?

12 A I think it would have been the 28th.

13 Q So the day after the murder?

14 A It was either the 28th -- I mean, it was some  
15 time during the Major Case call-out. I can't remember  
16 if it was the first day, or the second, or the third,  
17 but it was some time shortly after.

18 Q How did it come about that you went to the  
19 crime scene?

20 A I don't understand the question.

21 Q Sure. So one moment you are in your office,  
22 or you're in court, or you're at the Major Case Squad  
23 briefing, and the next minute you're going to that crime  
24 scene, what led to that decision to go to the crime  
25 scene?

Page 31

1 A I don't know what led to it, or if I just  
2 said, I want to go out there whenever it's clear that I  
3 can go out there.

4 Q So did you ask someone whether you could go?

5 A I, I don't, I don't recall specifically, but I  
6 probably told the commander that.

7 Q That you wanted to go?

8 A That's, that's typical, that the prosecutor  
9 would go to the crime scene, so I let him know that I  
10 would like to go whenever the crime scene was cleared.

11 Q And Schimweg, is that who you're talking  
12 about, or McCarrick, or who?

13 A I don't remember if I told Schimweg, or I told  
14 McCarrick, or I told the sheriff, but I know that it was  
15 someone in higher rank than me knew that I wanted to go  
16 out when the crime scene was cleared, for me to be able  
17 to walk into it.

18 Q When you say higher rank, what do you mean by  
19 that?

20 A I mean they were conducting an investigation  
21 and I didn't want to interfere with that, I couldn't go  
22 in until that investigation and the crime scene had been  
23 cleared, so to speak, for me to be able to go in once  
24 they were done doing all the things that they do.

25 Q Now the word clear is, just to resolve any

Page 32

1 ambiguity, sometimes the word clear means that there's  
2 no more bad guys hiding in the house, and sometimes it  
3 means that they're finished taking measurements, and  
4 photos, and that sort of thing; right?

5 A Correct. Not clearing a residence for safety  
6 purposes, but clearing so that other people can walk  
7 into it, so it doesn't contaminate the scene.

8 Q Right. Do, do you recall that there were  
9 gloves at the scene on the sofa near where Betsy Faria's  
10 body was?

11 A Based on my recollection of being at the  
12 scene?

13 Q Any part of your knowledge of the case.

14 Do you know, as you sit here now, that there  
15 were gloves on the sofa?

16 A I know that there were photographs -- I  
17 remember a photograph of gloves on the sofa, but I don't  
18 recall seeing those when I was there.

19 Q Do you recall any discussions during the Major  
20 Case Squad call-out regarding the gloves?

21 A No.

22 Q Do you recall any discussions about checking  
23 the gloves for blood?

24 A No.

25 Q When you were involved in those briefings, did



Page 33

1 it seem to you that the Major Case Squad had identified  
2 a primary suspect?  
3 A I don't recall.  
4 Q When you were involved in those briefings, did  
5 it seem to you that the Major Case Squad was considering  
6 more than one suspect?  
7 A Yes.  
8 Q Okay. Who were they considering as suspects?  
9 A They ran down hundreds of leads for -- I mean,  
10 various leads they had people going out on.  
11 Q Yeah, the daughters; right?  
12 A I, I recall the daughter and maybe her  
13 boyfriend. There was an ex-husband, I believe.  
14 Q Somebody in Florida; right? A relative, or  
15 somebody? Maybe that was the ex. Does that ring a  
16 bell?  
17 A I don't remember where he was located.  
18 Q McCarrick spoke about somebody out of town;  
19 right?  
20 A I believe so. I know there were several  
21 different ideas, or avenues they went down.  
22 Q Okay. Fair enough. Do you remember whether  
23 there was any discussion in the Major Case Squad  
24 briefings that perhaps Pam Hupp had committed the murder  
25 of Betsy Faria?

Page 34

1 A I know that they were looking at Pam Hupp as  
2 well.  
3 Q Let me just try to ask that question more  
4 specifically.  
5 Do you remember whether there was any discussion  
6 in any Major Case Squad briefing that Pam Hupp was a  
7 suspect in the murder of Betsy Faria?  
8 A I don't remember there being any discussion of  
9 anyone being a suspect, so to speak.  
10 Q Well, you knew that Russ Faria was in custody;  
11 didn't you? The first day. I mean, you knew that;  
12 right?  
13 A He was -- I didn't think he was in custody the  
14 first day. I don't remember when, and I don't know that  
15 I know, or knew when they placed him on a 24-hour hold.  
16 Q Well, okay, let me -- got to be careful of our  
17 semantics here.  
18 When you got to the briefing -- Well, when you  
19 got to the Major Case Squad headquarters, did you learn  
20 that Russ Faria was at the police station, and/or had  
21 been, been in discussions with law enforcement during the  
22 course of the prior night?  
23 A I learned that Betsy Faria's husband was a  
24 cooperating witness. That's what I learned when I first  
25 got there.

Page 35

1 Q What's the next thing you learned about Russ  
2 Faria's involvement in the murder?  
3 A I don't recall.  
4 Q Do you understand as you sit here now that in  
5 the afternoon of the 28th, we'll call it roughly two  
6 o'clock, that Mr. Faria went to Lake St. Louis for a  
7 polygraph?  
8 A I know that he went for a polygraph, but I  
9 didn't know where he went.  
10 Q Did you have any influence in the decision  
11 that he would be taken for a polygraph?  
12 A No.  
13 Q When did you learn the results of the  
14 polygraph?  
15 A I don't remember.  
16 Q Did you learn it during the call-out?  
17 A Yes.  
18 Q Mr. McCarrick stated that once he had the  
19 results of the polygraph that he concluded that Russ  
20 Faria was, "his guy," I think was his term. Do you  
21 remember that in that meeting, in those meetings?  
22 A No.  
23 Q Have you ever seen the raw data results of  
24 that polygraph?  
25 A No.

Page 36

1 Q Do you know where they are today?  
2 A No.  
3 Q Do you know if the polygraph examiner actually  
4 obtained raw data?  
5 Now raw data, what I mean is, in a polygraph  
6 they check things like respiration, blood pressure, heart  
7 rate, sweating, things like that; right?  
8 Do you understand that?  
9 A If you're explaining that to me, I don't know  
10 much about polygraphs and how they work.  
11 Q Okay. Well, I'll submit to you that a  
12 polygraph checks attributes of the body when the person  
13 is asked questions. Does that sound right to you?  
14 A Yes.  
15 Q And some of the things that are checked are  
16 the things that I mentioned. Does that sound right to  
17 you?  
18 A I don't know what's checked, but I know that  
19 they register certain things.  
20 Q Okay. Do you understand that a polygraph  
21 examiner normally has a formal written record of those  
22 bodily responses?  
23 MR. HEIGELE: Calls for speculation.  
24 Q (By Mr. Schock) I'm asking if she knows it.  
25 That's not speculation, that's, does she know?

Page 37

1 A I don't know what typically occurs.  
 2 Q Okay.  
 3 MR. HEIGELE: Hence, my objection.  
 4 Q (By Mr. Schock) Have you ever spoken to the  
 5 polygraph examiner in the case, the one who examined  
 6 Russ Faria on the 28th? About this, about this. That  
 7 polygraph?  
 8 A At what period of time?  
 9 Q Any time since the -- since he took that  
 10 polygraph, have you ever discussed that polygraph with  
 11 him?  
 12 A I have spoken with him. I have not discussed  
 13 the polygraph itself.  
 14 Q Okay. Tell me about your -- First of all,  
 15 when did you have the conversation with the polygraph  
 16 examiner?  
 17 A After the first trial, before the second.  
 18 Q What was the substance of the conversation?  
 19 A Do you have any other reports? Because  
 20 defense attorney is now asking for them.  
 21 Q And what did he say?  
 22 A He said something to the effect of, I can't be  
 23 specific, because I don't know exactly what he said, but  
 24 he said he was -- I think he was at a different location  
 25 at that point, a different agency, and he would have to

Page 38

1 check with the agency, or wherever he was before and get  
 2 back to me.  
 3 Q Did he get back to you?  
 4 A He did.  
 5 Q What did he say?  
 6 A He said that those records were -- something  
 7 to do with his computer, or their computer, or  
 8 somebody's computer, at any rate, had not retained those  
 9 records, mostly, I guess -- well, I'm speculating as to  
 10 why they weren't retained. I don't know why they  
 11 weren't retained, but nonetheless, he didn't have them.  
 12 Q Is it your understanding as you sit here today  
 13 that those records do not exist because of some sort of  
 14 computer mechanical?  
 15 I mean, do you believe what he said?  
 16 A I have no reason to doubt him.  
 17 Q Well, that's not what I asked. Do you believe  
 18 him?  
 19 A Sure.  
 20 Q And do you have any explanation as to why  
 21 those computers, mechanical systems failed to retain  
 22 that data?  
 23 A I don't know that they failed to retain the  
 24 data, or that the data was -- had been either gotten rid  
 25 of, or lost after the first trial.

Page 39

1 I don't know that they've -- It failed to retain  
 2 it from the beginning, but they were never requested at  
 3 the beginning, because by agreement, actually, by request  
 4 of the defense counsel, there was no reference to be made  
 5 to the polygraph, and so...  
 6 Q Well, polygraphs are inadmissible in court;  
 7 right?  
 8 A Correct.  
 9 Q So that would be normal; right?  
 10 A Correct. So there was no reason to retain it.  
 11 Q Well, you understood that -- Did you  
 12 understand during the Major Case call-out, Major Case  
 13 Squad call-out that Mr. McCarrick believed that the  
 14 results of the polygraph were dispositive as to who had  
 15 committed the murder?  
 16 A No, I don't remember any conversation about  
 17 what McCarrick thought about the polygraph.  
 18 Q As you sit here right now, do you have any  
 19 knowledge of any way to obtain the raw data from that  
 20 polygraph?  
 21 A Can you ask that again?  
 22 Q Sure. Do you know any way we could get that  
 23 raw data?  
 24 A I don't.  
 25 Q Fair enough.

Page 40

1 MR. HEIGELE: You could do it now.  
 2 Q (By Mr. Schock) Let's go to the release of --  
 3 Well, first of all, let me back up.  
 4 You understand that two officers went and  
 5 interviewed Pam Hupp early in the morning on the 28th,  
 6 roughly 6:00, 6:30 in the morning.  
 7 Do you know that?  
 8 A I do now.  
 9 Q When did you first learn of that interview of  
 10 Miss Hupp?  
 11 A I don't remember. Some time during the Major  
 12 Case call-out.  
 13 Q Okay. Do you remember that it was an officer  
 14 named Kaiser, or maybe one named Smith who did that  
 15 interview? Does that ring a bell?  
 16 A I remember Stephanie Kaiser.  
 17 Q She was one of the people who was there;  
 18 right?  
 19 A Correct.  
 20 Q Do you remember Miss Kaiser making any oral  
 21 report about that interview in any briefing that you  
 22 were in at the Major Case Squad?  
 23 A I remember her talking about having gone  
 24 there.  
 25 Q Do you remember anything she said about the

Page 41

1 specifics of her conversation?  
 2 A Just that she was cooperative.  
 3 Q Do you remember anything that Miss Kaiser, or  
 4 I will submit to you the other officer was named Smith;  
 5 does that sound right?  
 6 A It could be.  
 7 Q Well, let's just assume I'm right on that;  
 8 fair enough?  
 9 A Okay.  
 10 Q I'm pretty sure I'm right on that. Do you  
 11 remember any details such as statements by Miss Hupp  
 12 that Russ Faria had made comments to Betsy about  
 13 smothering her with a pillow?  
 14 A Do I remember any -- Can you rephrase that?  
 15 Q Sure. I think you've said that you recall  
 16 that Kaiser and Smith made some sort of report about  
 17 their -- oral report now -- about their interview of  
 18 Miss Hupp; right?  
 19 A Correct.  
 20 Q And you were there and you heard that; right?  
 21 A I heard a report by them, but I don't remember  
 22 them talking about a pillow. The only thing I remember  
 23 specifically in their report back was that she was  
 24 cooperative.  
 25 Q Okay. And I want to kind of probe a little

Page 42

1 bit, maybe I'll trigger some memories.  
 2 Do you remember anything said by -- in their  
 3 report that Russ Faria had been abusive to his wife?  
 4 MR. HEIGELE: The oral report?  
 5 Q (By Mr. Schock) Yeah. We're starting with  
 6 the oral report.  
 7 A I don't remember hearing that in a, in a Major  
 8 Case briefing setting at all.  
 9 Q You know now that that's what she said; right?  
 10 A I don't remember her saying that he was  
 11 abusive.  
 12 Q Well, there's a, there's a transcript of that;  
 13 right? Of that meeting with them, with Hupp and with  
 14 Kaiser and Smith that morning on the 28th; right?  
 15 A If there is, then Mr. Schwartz's office put  
 16 that together. I've not read it.  
 17 Q Tell me how you have obtained knowledge about  
 18 the interview of Miss Hupp by Kaiser and Smith?  
 19 A I don't remember specifically. I just know  
 20 that over these last several years I've gained knowledge  
 21 of it.  
 22 Q Okay. And do you remember reading a report  
 23 that they wrote during the four-day call-out?  
 24 A I wouldn't have read it during the four-day  
 25 call out.

Page 43

1 Q Okay. Might have been prepared later?  
 2 A Yeah. I, I wouldn't have gotten those binders  
 3 for several months probably.  
 4 Q And -- But you do remember that they did come  
 5 and make some kind of an oral report?  
 6 A I remember Stephanie Kaiser saying that, that  
 7 Pam Hupp was cooperative, that's the extent of my memory  
 8 of those -- that oral report anyway.  
 9 Q Fair enough. Let's go now to the alibi  
 10 witnesses. Is it your recall that during the first day  
 11 there was a discussion of Russ Faria's whereabouts the  
 12 night of the murder?  
 13 A I don't know that I recall that, but I'm sure  
 14 that that was the case.  
 15 Q Okay. That's good enough. Do you recall that  
 16 they were looking closely at his whereabouts during the  
 17 day, and that he'd been -- it was pretty much  
 18 established that he'd been at his home office at work  
 19 until one o'clock; right?  
 20 Does that sound right?  
 21 A I know that's what he said.  
 22 Q How do you know that's what he said?  
 23 A Because I remember -- Well, because I've  
 24 watched the interview and know he said that.  
 25 Q And I'm not really as interested in -- Well,

Page 44

1 I'm interested in the interview depending on when you  
 2 watched it.  
 3 When did you watch that interview?  
 4 A Before trial.  
 5 Q Okay. Before trial's a long period of time.  
 6 Did you see it in December of 2011?  
 7 A Oh. No, not in December.  
 8 Q The first four days after the murder?  
 9 A No.  
 10 Q Did you see it before January 4th, say, after  
 11 Mr. Faria was in jail?  
 12 A I would doubt it. I don't think so.  
 13 Q All right.  
 14 A I may have. I don't remember.  
 15 Q All right. Fair enough. Do you remember that  
 16 the Major Case Squad was interested in Mr. Faria's  
 17 whereabouts on the 27th of December, 2011?  
 18 A Yes.  
 19 Q That was, that was pretty important to them;  
 20 wasn't it?  
 21 A Correct.  
 22 Q And we know now that he was at work that day;  
 23 right?  
 24 Do you question that, or do you agree with that,  
 25 until five o'clock?

Page 45

1 A I don't know where he was. I know where he  
2 says he was until five o'clock that day.

3 Q Okay. Well, did you do any checking of his  
4 records with his employer, because he worked on  
5 computers and phone calls for his employer; right?

6 A Correct.

7 Q I mean, did you check with them to see whether  
8 he, in fact, had engaged in his job during that period  
9 of time, until five o'clock?

10 A I did not.

11 Q Did anybody?

12 A I believe so.

13 Q Who did that?

14 A I can't recall.

15 Q Was that a known fact during the call-out?

16 A What?

17 Q That he'd worked that day until five o'clock?

18 A I don't, I don't know if it was a known fact  
19 to anybody. It may have been, but it wasn't to me.

20 Q Okay. How about that he went to various  
21 places to get the dog food, and the cigarettes, and the  
22 gas between 5:00 and 6:00 p.m. on the 27th, did you know  
23 that during the Major Case Squad call-out?

24 A Yes.

25 Q How did you learn that during the Major Case

Page 46

1 Squad call-out?

2 A I think somebody reported it.

3 Q In one of those briefings?

4 A I believe so.

5 Q Did you believe that he had gone to those  
6 places?

7 A I believe so. I don't remember at the time  
8 what I thought. I think they provided video footage, or  
9 something, so I would have -- whenever I saw that, I  
10 would have believed it, sure.

11 Q Sure. I mean, there he was --

12 A Yes.

13 Q -- pumping gas.

14 A Right. But I don't know when I saw those.

15 Q Okay. Fair enough. Is it your recall that an  
16 issue in the matter was where he -- was his whereabouts  
17 between 6:00 and 9:00 that night?

18 A I don't recall.

19 Q During, during the Major Case Squad call-out,  
20 was an issue going around in the discussions of law  
21 enforcement as they investigated the crime, his  
22 whereabouts between 6:00 and 9:00?

23 A I recall that the issue was where he was after  
24 his wife got home.

25 Q Okay. Because it was kind of a known fact

Page 47

1 that she had gotten home around 7:00, or 7:15; right?

2 That was a pretty much known fact?

3 A That was the belief.

4 Q Okay. I mean, the evidence pointed to that;  
5 right?

6 A That's what -- That was the belief based on  
7 witness statements.

8 Q Sure. Including Pam Hupp; right?

9 A Correct.

10 Q And including, there was some kind of phone  
11 call between Pam Hupp and her husband, and maybe Betsy  
12 had gotten on the phone; right? About 7:15, does that  
13 ring a bell?

14 A Betsy had left a message for Pam Hupp's  
15 husband, as I recall.

16 Q Right. And that was a known fact because  
17 they'd looked, because some investigators had looked at  
18 the husband's phone?

19 A It was a known fact that she left the message,  
20 but it was not a known fact as to where she was when she  
21 left the message.

22 Q Fair enough. But it was a pretty solid fact  
23 that she was alive a little after 7:00; right?

24 A It was a solid fact that she was alive when  
25 she left the message, whatever time that was.

Page 48

1 Q And was it your understanding that that was a  
2 few minutes after seven?

3 A It was after seven, but I can't tell you what  
4 time.

5 Q You think it was before eight?

6 A Correct.

7 Q So it was some time before 7:30, does that  
8 sound right?

9 A That sounds correct.

10 Q So she was alive between 7:00 and 7:30, and  
11 that was a known fact in the investigation; right?

12 A Correct.

13 Q So there really wasn't a lot of thought that  
14 Russ Faria had killed his wife before he left his home  
15 to go to get the dog food, and the gas, and all that;  
16 right?

17 A Correct.

18 Q Now, are you aware that Russ Faria asserted  
19 that between 6:00 and 9:00, and when I say asserted, I  
20 mean what he had said in his interviews in the course of  
21 the night after the murder, that he'd been at some  
22 friends for game night, a regular event that he had with  
23 his pals?

24 A Am I aware that he said that?

25 Q Yes.



Page 49

1 A Yes, I'm aware.  
 2 Q And you were aware during the call-out that  
 3 that was what he said; correct?  
 4 A Correct.  
 5 Q Because you went to the briefings; right? At  
 6 least some of them?  
 7 A At least some of them.  
 8 Q And that was a subject of major discussion;  
 9 right?  
 10 A Not in all of them, but it was, it was  
 11 certainly discussed at some point.  
 12 Q Okay. And so it's a fair statement that if  
 13 Russell Faria was at game night between 6:00 and 9:00  
 14 with his friends, he couldn't be at home at 7:15; right?  
 15 A Can you ask that again?  
 16 Q You can't be two places at once; right?  
 17 A I will agree you can't be two places at once.  
 18 Q So if the alibi witnesses were telling the  
 19 truth, he was with them between, as we said, roughly  
 20 7:00 to 7:30; right?  
 21 A I don't understand the question.  
 22 Q Well, sure. If Russ Faria said in his  
 23 statements, we've established that, and you knew about  
 24 it during the call-out, that he'd been with his friends  
 25 from 6:00 to 9:00; right?

Page 50

1 A Yes, he said that.  
 2 Q And that's, that's an alibi in this case;  
 3 right?  
 4 A Correct.  
 5 Q Okay. And you knew that the office -- some  
 6 officers had gone and interviewed the alibi witnesses;  
 7 right?  
 8 A I knew that they did at some point, yes.  
 9 Q Well, you knew they did it the morning after  
 10 the murder; right?  
 11 A I don't know when I learned that they had done  
 12 that.  
 13 Q Well, that was a major discussion in the Major  
 14 Case Squad; wasn't it?  
 15 MR. HEIGELE: Misstates her testimony as to  
 16 quote, unquote, "major" that she was a part of.  
 17 A I don't remember when I learned that they had  
 18 been there to talk to the people that Russ said he was  
 19 with that night.  
 20 Q (By Mr. Schock) We're talking about Corbin,  
 21 Sweeney, Holian, Bach, maybe one other I can't remember;  
 22 right?  
 23 A That's all.  
 24 Q Okay. So you're not, as you sit here now, you  
 25 don't remember discussions on, for example, the first

Page 51

1 day about officers having interviewed those alibi  
 2 witnesses; is that true?  
 3 A I don't remember specific discussions. I'm  
 4 sure they would have said somebody went and followed  
 5 this lead and talked to these people, but I don't  
 6 remember anything specific about that.  
 7 Q Now in his deposition, Mr. McCarrick said that  
 8 he believed that Mr. Faria was, in fact, at the alibi  
 9 witness, Corbin's house, from 6:00 to 9:00.  
 10 Do you remember that that was a conclusion of  
 11 the Major Case Squad, a consensus of the people working on  
 12 it?  
 13 MR. HEIGELE: That misstates his testimony.  
 14 That's not the consensus of the Major Case Squad. It  
 15 was the belief of Detective McCarrick.  
 16 MR. RETTER: I'll join.  
 17 MR. SCHOCK: And I think that's correct, and I  
 18 want to restate. Thank you very much.  
 19 MR. HEIGELE: That's why I'm here.  
 20 MR. SCHOCK: Just to help, right?  
 21 Q (By Mr. Schock) Let's go back. You were  
 22 present for McCarrick's testimony; right? His, his  
 23 deposition a few weeks ago?  
 24 A I was.  
 25 Q And he said that it was his opinion that the

Page 52

1 alibi witnesses were telling the truth, and that Russ  
 2 Faria was at Corbin's house from 6:00 to 9:00; do you  
 3 remember that?  
 4 A I remember that he said he thought that Faria  
 5 was there. I don't remember that he said that he  
 6 thought they were telling the truth.  
 7 Q All right. But he definitely believed that;  
 8 right?  
 9 A That's what, that's what he stated.  
 10 Q Okay. And do you remember any discussion of  
 11 whether, in fact, Faria was at Corbin's house in Major  
 12 Case Squad discussions during the call-out?  
 13 A I don't understand the question.  
 14 Q Sure. Let me ask it again. Call-out went for  
 15 four days?  
 16 A Yes.  
 17 Q Purpose of the Major Case Squad was to  
 18 investigate the murder of Betsy Faria; right?  
 19 A Correct.  
 20 Q Russ Faria was a suspect; right?  
 21 A At some point.  
 22 Q Lady was alive at 7:15; right?  
 23 A She was alive some time around 7:00.  
 24 Q Okay. Close enough. And she was dead by  
 25 9:40; right?

Page 53

1 A Correct.

2 Q The Case Squad's investigation included

3 whether Russ Faria could have committed the murder;

4 right?

5 A Correct.

6 Q I mean, you can't charge somebody with a

7 murder unless there is a way that he can have done it,

8 which is consistent with the known forensic physical

9 evidence; true?

10 A You can't charge someone with a murder without

11 probable cause to do so.

12 Q Which means there has to be a way to believe

13 that the person's whereabouts and ability to do the

14 murder is consistent with the physical evidence;

15 correct? And the other, and the oral evidence; correct?

16 A I think it's a matter of semantics, if a crime

17 has been committed, and you have probable cause to

18 believe that a person committed a crime, you can charge

19 the crime.

20 And a lot of things go into whether or not you

21 have probable cause. The person's whereabouts is not the

22 only thing that would go into it.

23 Q Of course. Do you agree with the statement,

24 though, that if, let's say, a person is a suspect in a

25 crime, take, take the relative, I think it was Florida,

Page 54

1 let's just say it was Florida, right, and because the

2 person was a relative, maybe that person was a suspect;

3 right? Had to be checked; right?

4 MR. HEIGELE: Just a check, I think it was an

5 ex-husband instead of a relative.

6 Q (By Mr. Schock) Okay. Correct?

7 A He had to be checked as to --

8 Q Whether he was going to be somebody who

9 committed the murder; right?

10 A Well, yes.

11 Q And that guy turned out to have been out of

12 state?

13 A Correct.

14 Q So he really wasn't a suspect anymore; right?

15 A Correct.

16 Q Because he wasn't there; right?

17 A Correct.

18 Q So do you agree that if someone is not with

19 the person who was murdered at the time of the murder,

20 then they didn't commit the murder; is that true?

21 A I believe if a person isn't with the victim at

22 the time of the murder, they didn't personally commit

23 the murder.

24 Q Okay. That's pretty logical; right? Nothing

25 complicated about that?

Page 55

1 A That's true.

2 Q And that's why alibi testimony in a murder

3 case, where there's a suspect is very important; is that

4 a true statement?

5 A That would be true.

6 Q Okay. And so McCarrick said that he believed

7 that Russ Faria was with Michael Corbin and the others

8 at Corbin's house from 6:00 to 9:00; right?

9 A That's what McCarrick said, yes.

10 Q Now you were at some of those meetings. Was

11 it your sense that that was just McCarrick's opinion, or

12 it was the opinion of, sort of a consensus of the people

13 in the briefings on the Major Case Squad?

14 A I don't remember McCarrick ever offering his

15 opinion at the briefings. His job was to be the report

16 writer.

17 I don't remember him offering any opinion,

18 because he didn't follow any leads.

19 Q Well, was it -- You're familiar with how the

20 Major Case Squad works; right?

21 A Correct.

22 Q Officers rely on each other; right?

23 A They do.

24 Q And the point is, someone might go out and

25 investigate a lead and they come back and report on what

Page 56

1 they found; right?

2 A That's correct.

3 Q And then that information's put in the mix;

4 right?

5 A That's correct.

6 Q It's customary, in fact, to rely on what

7 officers say about what happened when they go out and

8 investigate a lead; right?

9 A Absolutely.

10 Q They trust each other; right?

11 A That's correct.

12 Q That's the essence of what they're doing, is

13 to work together; right?

14 A Yes.

15 Q Okay. Do you remember whether various

16 discussions occurred during the Major Case Squad

17 call-out, during these briefings -- And were the

18 briefings someone standing up and saying what they knew,

19 or were they discussions? What about that?

20 A The briefings that I was present for involved

21 the commander asking whomever was at the table what they

22 learned on the specific leads they went out on.

23 Q Perfect.

24 A Those people would say.

25 Q And then would there be discussion among the

Page 57

1 group about how that fit into the larger context of the  
2 investigation?

3 A Not typically at that point. They would just  
4 report on what they found, and then that would determine  
5 whether or not it led to another lead.

6 Q Well, you had to discuss the meaning of the  
7 lead to do that; right?

8 A I don't understand the question.

9 Q Well, you just said that when they finished a  
10 report on a lead, then that information would be put  
11 into the mix to decide whether to continue to pursue a  
12 given lead, to go in a different direction, that  
13 involved discussion; right?

14 A But the discussion wasn't specifically about  
15 the, the report that they said, as I recall.

16 Q Well, all -- Lots of leads were coming in all  
17 the time; right?

18 A Correct.

19 Q People were going out and investigating,  
20 things; right?

21 A Correct.

22 Q And these discussions, or the point was to try  
23 to assemble information to find out the truth; correct?

24 A It was -- The purpose was to try to manage the  
25 leads with the manpower that was there to handle them.

Page 58

1 Q But the overriding purpose was determined, was  
2 to determine who killed Betsy Faria; right?

3 A The overriding purpose was to gather as much  
4 information as possible in a short amount of time.

5 Q Well, there was no purpose to sift through  
6 that information and determine who the murderer was?

7 Was it only to gather information, or was it  
8 also to draw conclusions?

9 A I don't think the -- I don't think it's their  
10 goal. I would be speculating as to what their goal is,  
11 because I don't know.

12 Q Do you think one of their objectives was to  
13 exclude people who surely didn't commit the murder, like  
14 the ex-husband in Florida. Was that an objective?

15 A I don't know.

16 MR. SCHOCK: Do you want to take a break?

17 MR. BRUNTRAGER: I do.

18 MR. SCHOCK: It's 10:11, should we go off the  
19 record?

20 MR. HEIGELE: I was going to ask if you were  
21 at a breaking spot.

22 MR. SCHOCK: Let's go off the record.

23 [Whereupon, there was a short break].

24 Q (By Mr. Schock) Miss Askey, where we were was  
25 discussing this Major Case Squad thought, collective

Page 59

1 thought maybe of Russell Faria's whereabouts from 6:00  
2 to 9:00.

3 And I want to know -- I guess we've established  
4 that McCarrick stated that it was his opinion in the  
5 briefings that Russ Faria was at Corbin's house from 6:00  
6 to 9:00.

7 Do you remember that?

8 MR. HEIGELE: It's misstates the testimony.  
9 You're talking about his deposition.

10 Q (By Mr. Schock) He said at the deposition for  
11 sure; right?

12 A At the deposition he said that that was his  
13 belief, correct.

14 Q And let's now go back -- Thank you,  
15 Mr. Heigele -- let's now go back to those briefings.

16 Do you remember any discussions in those  
17 briefings about the question as to whether Russell Faria  
18 was or was not at Corbin's house from 6:00 to 9:00?

19 A I remember discussion that he said that he was  
20 at Corbin's house from 6:00 to 9:00, and I remember  
21 discussion that Corbin and the other three said he was  
22 there during that evening.

23 Q Do you remember whether there was any  
24 discussion of the credibility of those statements?

25 A I don't remember discussion regarding the

Page 60

1 credibility, no.

2 Q I mean, do you agree that -- Well, you said  
3 that the purpose of the Major Case Squad was to gather  
4 information?

5 A Correct.

6 Q And I started to ask you, I guess maybe that's  
7 when we stopped, whether it was also to obtain the truth  
8 as to what happened, as opposed to just gathering  
9 information, but actually figure out what occurred?

10 A Well, that would be the ultimate hope, sure.

11 Q Right. That's the object of the game; right?

12 A Correct.

13 Q Do you agree with the statement that to do  
14 that, people on the Major Case Squad have to discuss  
15 leads, weigh credibility of witnesses, things like that?

16 MR. HEIGELE: Vague, but go ahead.

17 A They certainly discuss leads and do their best  
18 to verify what they're told.

19 Q (By Mr. Schock) Do you remember whether  
20 McCarrick said in any Major Case Squad meetings that he  
21 believed that Russ Faria was at Corbin's house that  
22 night?

23 A No.

24 Q So you don't remember either way, or you  
25 remember he didn't say that?

Page 61

1 A I don't remember McCarrick speaking in those  
2 meetings.

3 Q Okay. Do you remember anybody else stating  
4 that it was their belief, based on all the information  
5 that had been gathered through the point of the  
6 statement that Russ Faria was, in fact, at Corbin's  
7 house?

8 A No.

9 Q So you don't remember anybody really saying  
10 that in those meetings?

11 A No.

12 Q Do you remember a discussion which was in the  
13 other direction, oh, gosh, he wasn't there?

14 A No.

15 Q So you don't remember either way any  
16 discussions about Faria's whereabouts between 6:00 and  
17 9:00 on the 27th of December, 2011?

18 A I remember just the discussions that I told  
19 you about, that he said he was there, and that they said  
20 he was there, but not whether anyone believed that to be  
21 truthful, or not truthful, for that matter.

22 Q Do you remember any discussions about the  
23 first responders' remarks about the condition of the  
24 body when they arrived at roughly -- You agree they  
25 arrived at roughly 9:50 on the 27th, is that about the

Page 62

1 time they got there? Pretty close?

2 A Give or take five or 10 minutes.

3 Q Okay. So do you remember any discussions in  
4 the Major Case Squad, meetings about what the first  
5 responders, fire and ambulance said about the condition  
6 of the body?

7 A Vaguely.

8 Q What do you remember?

9 A I remember, I remember that someone was  
10 assigned to talk to them.

11 Q Right.

12 A Well --

13 Q There's reports about that?

14 A Well, I'm not, I not sure that I remember  
15 that. I don't know if they made statements to our, the  
16 deputies that were first on scene and that's how the  
17 information trickled back, or if someone was assigned  
18 specifically to speak with them.

19 But somehow, I remember that some of their  
20 statements came back to the Major Case Squad.

21 Q Okay. How many Major Case Squad  
22 investigations have you been involved in in your role as  
23 prosecutor?

24 A Now?

25 Q Yes. Through today.

Page 63

1 A I think five.

2 Q How many had you done at the time of this  
3 murder?

4 A That was my second.

5 Q Okay. Tell me about the first one. What  
6 happened?

7 What was the subject of the first one?

8 A It was a murder.

9 Q In Lincoln County?

10 A Correct.

11 Q And did that murder end up with -- Did that  
12 investigation reach a conclusion as to who had committed  
13 the murder?

14 A Yes.

15 Q Was that person prosecuted by you?

16 A He was.

17 Q What happened in that prosecution?

18 A The prosecution prevailed.

19 Q Plea, or trial?

20 A Trial.

21 Q Did you try that case yourself?

22 A I did.

23 Q Do you believe that the person who was found  
24 guilty of that murder did, in fact, commit that murder?

25 A I do.

Page 64

1 Q So at the time of this Major Case Squad  
2 call-out, it wasn't your first time, you were familiar  
3 with their procedures; right?

4 A Somewhat.

5 Q And you were familiar with the fact that they  
6 relied on each others' thoughts and conclusions; right?

7 If an officer went out and pursued a lead and  
8 came back and reported on it, the people on the Major Case  
9 Squad presumed that the officer who went out and pursued  
10 the lead had done it competently, and brought back an  
11 accurate report; correct?

12 A Correct.

13 Q Now, as you sit here now, we were talking  
14 about the fire and ambulance first responders, as you  
15 sit here now, do you remember that they reported that  
16 the body's condition indicated that the body had been  
17 dead for an hour or two when they got there?

18 A No, that's not what I recall.

19 Q What do you recall?

20 A I just recall that there was conflicting  
21 perspectives as to what those individuals witnessed, or  
22 believed that they witnessed, compared to what the law  
23 enforcement officers that were on the scene witnessed,  
24 or believed they witnessed, I recall that it was  
25 conflicting.



Page 65

1 Q So McCarrick talked about this extensively in  
2 his depo; right?  
3 A I don't remember that, but he may have.  
4 Q Well, he said something along the lines that  
5 the blood was --  
6 MR. HEIGELE: Sopping, I believe he said.  
7 Q (By Mr. Schock) Sopping, is that what the  
8 word was? We had confusion over the word. But the  
9 blood was still wet. Do you remember that?  
10 A I remember that he said someone said that,  
11 yes.  
12 Q And you remember that he also said that the  
13 first responders said that the body had rigor mortis?  
14 A I don't recall him saying that.  
15 Q Do you remember anybody saying that?  
16 A No.  
17 Q Do you remember anybody saying that the body  
18 was cold, that it was not the temperature of a live  
19 body, but was colder?  
20 A I don't remember anyone comparing it to a live  
21 body.  
22 Q Do you remember any statement that it was cool  
23 to the touch?  
24 A I remember a statement that it was cool to the  
25 touch.

Page 66

1 Q Okay. And do you, when you talk about that  
2 process of relying on each other, do you understand that  
3 the firemen and the ambulance were actually not on the  
4 Major Case Squad; correct?  
5 A Correct.  
6 Q Do you remember that any inclination either  
7 way, whether people on the Major Case Squad normally  
8 relied on observations of first responders, such as fire  
9 and ambulance?  
10 MR. HEIGELE: Calls for speculation.  
11 Q (By Mr. Schock) I'm asking if she knows.  
12 A I don't know.  
13 Q As to the condition of the blood, do you  
14 remember what was said by different people during the  
15 Major Case Squad meetings about the condition of the  
16 blood when the first responders arrived, police, fire,  
17 ambulance?  
18 A I don't remember what they said with regard to  
19 when the first responders arrived. I remember what they  
20 said as to their own observations of the blood.  
21 Q Okay. What did they say?  
22 A I don't remember the word exactly, but it  
23 wasn't dry.  
24 Q Was it coagulated? Does that word ring a  
25 bell?

Page 67

1 A It does not ring a bell.  
2 Q Set up, does that word ring a bell?  
3 A It does not.  
4 MR. SCHOCK: Looks like I forgot to turn on  
5 the camera for the last 15 minutes. Could have paid  
6 more to have somebody come and do it.  
7 MR. HEIGELE: Could have paid for a nicer  
8 room, too. No offense, Joel.  
9 MR. BRUNTRAGER: This is a lovely room.  
10 MR. SCHOCK: This is lovely office, and you're  
11 a lovely man, Joel.  
12 MR. BRETT: Hope all this is going on the  
13 record.  
14 MR. SCHOCK: Can we agree by consensus to back  
15 up and take off the record to where the giggling and  
16 remarks started that had nothing to do with what we're  
17 talking about.  
18 MR. HEIGELE: That's fine. We can edited it.  
19 MR. SCHOCK: Jane, redact from the record  
20 those remarks, please.  
21 MR. HEIGELE: He's a powerful man, by the way.  
22 Q (By Mr. Schock) How about recall of  
23 statements from those first responders as to rigor  
24 mortis?  
25 Do you remember those -- What was said in the

Page 68

1 Major Case Squad briefings about rigor mortis?  
2 A I don't remember anything said about rigor  
3 mortis.  
4 Q So we've gone over you don't remember anything  
5 about temperature of the body; right? Did we cover  
6 that?  
7 A Yeah. I said that I remembered someone said  
8 that the body was cool to the touch.  
9 Q And when I said rigor mortis, I referred to  
10 stiffness, is that how you took the word rigor mortis?  
11 A I took the word rigor mortise to be rigor  
12 mortis.  
13 Q Which is stiffness of the body after death;  
14 right?  
15 A Correct. It's the stages.  
16 Q Right. And in fact, after death the body does  
17 become stiff; correct?  
18 A Correct.  
19 Q And if a person, for example, moves the arm of  
20 a body that's been dead for an hour or two, the whole  
21 body will move, instead of just the arm?  
22 A I don't know that.  
23 Q Do you remember anything about that being  
24 said, that one of the first responders moved the arm and  
25 the whole body moved?

Page 69

Page 71

1 A No.  
 2 MR. HEIGELE: And you're talking about Major  
 3 Case Squad briefings?  
 4 Q (By Mr. Schock) Right. In the briefings.  
 5 A No, I don't, not in the briefings.  
 6 Q Do you remember anything about how long any  
 7 first responders stated in any reports, or in meetings  
 8 with Major Case Squad members that they thought the body  
 9 had been deceased when they arrived at the house?  
 10 A I don't remember there being a time discussed.  
 11 Q You don't remember anything about an hour or  
 12 two?  
 13 A No.  
 14 Q I want to turn now to the release of Mr. Faria  
 15 on the 29th.  
 16 Do you recall that at roughly three or four  
 17 o'clock on the 29th that Mr. Faria was released from  
 18 custody of the police?  
 19 A I recall that he was released. But I don't  
 20 know what time, or anything like that.  
 21 Q Do you -- Well, did you have anything to do  
 22 with his release? Any influence on that decision?  
 23 MR. HEIGELE: To the point it calls for  
 24 speculation.  
 25 MR. SCHOCK: Well, I'm not asking about her

1 A Sure. I don't know. I don't know when it  
 2 was. Actually, I don't know when it was.  
 3 Q Do you recall that you had any discussions  
 4 with anyone in law enforcement that might be called a  
 5 presentation to you, or a suggestion to you that you  
 6 file a murder charge against Russ Faria?  
 7 A Yes.  
 8 Q Tell me about those conversations.  
 9 A I don't recall if they were conversations, or  
 10 if they actually submitted a probable cause statement to  
 11 me.  
 12 Q Do you agree that it was your decision whether  
 13 to issue a charge at that time?  
 14 A Yes.  
 15 Q So you don't remember whether they spoke to  
 16 you when they submitted a probable cause statement, but  
 17 it was one of those; is that a fair statement?  
 18 A That's a fair statement.  
 19 Q And do you know whether that was on the day of  
 20 his release, or the day before, or do you know when that  
 21 was?  
 22 A It would have been towards the end of his  
 23 24-hour hold.  
 24 Q Do you remember what evidence they presented  
 25 to you in support of a theory that Russell Faria was --

Page 70

Page 72

1 speculation. I'm asking about her involvement. That's  
 2 not speculation.  
 3 A I was not involved with telling him, I mean,  
 4 telling them to release him, if that's what you're  
 5 asking me.  
 6 Q (By Mr. Schock) I am asking you if you had  
 7 any involvement?  
 8 Did you discuss with the police, did you discuss  
 9 with the sheriff's department personnel, the Major Case  
 10 Squad, anybody, the fact that Russ Faria was going to be  
 11 released on the 29th?  
 12 A I don't recall having a conversation  
 13 specifically about his release.  
 14 I recall that his 24-hour hold would have  
 15 extinguished at some point, and absent the filing of  
 16 charges, by law he would have been released.  
 17 Q Sure. There's no charges filed. Now you  
 18 understand it's a disputed fact when we think the  
 19 custody, when he was formally in custody, but let's set  
 20 that aside, okay, that's not an issue in this  
 21 deposition.  
 22 A Okay.  
 23 Q Before his release, and I will submit to you  
 24 it was on the 29th in the afternoon, does that sound  
 25 right?

1 there was probable cause to believe that Russell Faria  
 2 had murdered Betsy Faria?  
 3 A I don't remember specifically.  
 4 Q Now, do you still have -- it's kind of a crazy  
 5 question, I'm going to ask it, maybe you'll object: Do  
 6 you have a copy of any probable cause statement that was  
 7 submitted to you during that time, when you declined to  
 8 file a charge?  
 9 A No.  
 10 Q Do you know where it would be?  
 11 A I don't know that one was submitted.  
 12 Q Right. That's why. You don't remember either  
 13 way. It's kind of speculating?  
 14 MR. HEIGELE: It's silly questions.  
 15 MR. SCHOCK: There'll be plenty of silly  
 16 questions.  
 17 Q (By Mr. Schock) Do you remember weighing in  
 18 your mind the question of whether there was probable  
 19 cause based on the information you received, whether it  
 20 was oral, or in a probable cause statement?  
 21 A I don't remember that specifically, but I'm  
 22 sure that I did.  
 23 Q So you don't really remember what evidence  
 24 they presented to you, but you remember they presented  
 25 some evidence, and that you weighed it; right?

Page 73

1 A Correct.  
 2 Q That's your only memory of this part of the  
 3 process?  
 4 A Correct.  
 5 Q And you remembered that you decided there was  
 6 not enough; is that right?  
 7 A Correct.  
 8 Q And did you give any advice to law enforcement  
 9 that he needed to be released, or anything like that?  
 10 A No.  
 11 Q Do you remember making any statements to the  
 12 press after his release?  
 13 A Yes.  
 14 Q Okay. And tell me what you said to the press?  
 15 A I don't remember specifically what I said.  
 16 But I would have used one of my standard canned answers,  
 17 I'm sure.  
 18 Q Okay. Well, what were your standard canned  
 19 answers?  
 20 A Something to the effect of, we're hopeful to  
 21 gather enough evidence at some point to provide justice  
 22 for the victim in our case.  
 23 Q Okay. Hang on one second. I'm going to --  
 24 Okay. I've got a document in front of me, and now we're  
 25 going to go to our first use of these books behind us.

Page 74

1 We've got to get to page 1445.  
 2 And that should be in book six, which would be  
 3 on the top right behind you.  
 4 See if that's -- The numbers are in the lower  
 5 right corner.  
 6 MR. HEIGELE: What's your page? What's your  
 7 lead?  
 8 MR. SCHOCK: It's page 1445 of plaintiff's  
 9 disclosures.  
 10 MR. HEIGELE: What's your tab? Which tab?  
 11 MR. SCHOCK: What tab? Is that the pages?  
 12 It's page five. I did my math wrong.  
 13 MR. SWANSON: Thirty-three.  
 14 MR. BRUNTRAGER: Fourteen forty-five is what  
 15 you're looking up?  
 16 MR. SCHOCK: Yes, sir. Would you open it up  
 17 to 1445.  
 18 Q (By Mr. Schock) Okay. Have you seen that  
 19 document before, ma'am?  
 20 A I don't know if I have, or not.  
 21 Q Well, it's a report by KSD.com, and it's dated  
 22 December 30th at 7:16 p.m.; right?  
 23 A Yes.  
 24 MR. HEIGELE: Just as an over-reaching  
 25 objection, I would object as to hearsay, and that's my

Page 75

1 objection.  
 2 Q (By Mr. Schock) Okay. Would you tell me --  
 3 Would you read that page and tell me when you're done  
 4 reading it, please.  
 5 A Okay.  
 6 Q It goes on the next page. Just read through  
 7 the next page, too.  
 8 A Okay.  
 9 Q Okay. Now, it says the writer of this  
 10 document says that you said that the Major Case Squad  
 11 was going to work into the weekend to try to charge  
 12 someone.  
 13 Do you recall telling that to the reporter?  
 14 A No.  
 15 MR. HEIGELE: Well, I'm saying to the extent  
 16 it misstates the actual words of the document, I object,  
 17 but --  
 18 Q (By Mr. Schock) Do you remember saying words  
 19 to that effect to the reporter, what is said there in  
 20 the first paragraph?  
 21 A Absolutely not.  
 22 Q Did you say any words along those lines to  
 23 that reporter?  
 24 A Not that I recall.  
 25 Q Go to the second, the right-hand column.

Page 76

1 A Yes.  
 2 Q And it's the first full paragraph. Would you  
 3 read that slowly into the record, please?  
 4 MR. HEIGELE: Same objections.  
 5 A "The Lincoln County Prosecutor hopes it's only  
 6 a matter of time before she can charge him with murder.  
 7 The prosecutor is fast-tracking DNA and fingerprint  
 8 tests, as well as cell phone records."  
 9 Q Okay. So you're the Lincoln County  
 10 prosecutor; right?  
 11 A I am.  
 12 Q Did you say words to that effect to the  
 13 reporter?  
 14 A No.  
 15 Q Did you say words to that effect to anybody  
 16 from the press?  
 17 A No.  
 18 Q Did you say words to that effect to anybody  
 19 involved in law enforcement?  
 20 A No.  
 21 Q Did you say words to that effect to anybody?  
 22 A No.  
 23 Q Is it your belief that the reporter is making  
 24 up that story and completely misquoting you?  
 25 A Yes. Not mis -- It's not my belief that the

Page 77

1 reporter's making up the story. It's my belief that the  
2 reporter is misquoting.

3 Q What did you say?

4 A I don't recall specifically what I said. But  
5 I'm sure something like what I said to you a moment ago.

6 Q So this remark that he says you said, that it  
7 was only a matter of time before you can charge him, now  
8 "him" is Russell Faria; right?

9 A I don't know who "him" is with regard to what  
10 Mike Rush thought. I have no idea.

11 Q Well, the, the prior paragraphs indicate that  
12 by context the "him" is the husband; right?

13 Do you agree with that?

14 A It says investigators arrested a man  
15 Wednesday. It doesn't say who.

16 Q Well, the only one who had been arrested was  
17 Russell Faria; right?

18 MR. HEIGELE: I think the thing says what the  
19 things says. That was the objection made the first time  
20 you looked at the document.

21 A This document doesn't suggest that it's Russ  
22 Faria at all.

23 Q (By Mr. Schock) Okay. That's your  
24 interpretation of that, and I accept it. I don't accept  
25 it, but I understand that's your position.

Page 78

1 So as to this statement attributed to you by  
2 Mr. Mike Rush of KSDK, that you hope it's only a matter of  
3 time before she, that would be you, can charge him with  
4 murder, you deny saying that?

5 A Correct.

6 Q And then it says, you're fast-tracking DNA and  
7 fingerprint test as well as cell --

8 MR. HEIGELE: I was going to, after you finish  
9 your question, I was going to object to it again, that  
10 the document is hearsay, does not specifically state  
11 anything about Leah Askey, doesn't state specifically  
12 anything about Russell Faria, doesn't make any statement  
13 as to guilt, and that's my objection.

14 If I could have a continuing objection to this,  
15 that's fine.

16 MR. SCHOCK: Of course.

17 MR. HEIGELE: Okay.

18 Q (By Mr. Schock) So let's talk about this  
19 statement in the article. The prosecutor is  
20 fast-tracking DNA.

21 Did you make any statement to Mike Rush or any  
22 member of the press about fast-tracking DNA?

23 A No. I wish there were a way to do that. So I  
24 never made that statement.

25 Q Did you make any statements to the press,

Page 79

1 including Mike Rush, about fingerprint tests?

2 A No.

3 Q Did you make any such statements, any  
4 statements to such people about cell phone records?

5 A Not that I recall. They may have asked me a  
6 question about it, and I may have said those have been  
7 sent off, or something to that regard, but I would have  
8 never said anything was getting fast-tracked, because  
9 there isn't a possibility to fast-track, that I am aware  
10 of.

11 Q Okay. Was there a formal press conference or  
12 anything that you participated in on that day, or the  
13 next day? That day being the 29th.

14 A I don't recall if in this case there was.

15 Ordinarily in a Major Case call-out there's a  
16 press conference that the Major Case Squad calls, but I  
17 don't remember specifically if there was one in this case,  
18 or not.

19 Q Do you remember even whether you made any  
20 statements to the press, as you sit here now? You've  
21 talked about a statement you might have made, which is  
22 sort of what you always make; right?

23 A Correct.

24 Q Now slightly different question: Do you  
25 remember whether you did make any statement to the press

Page 80

1 on the 29th or 30th of December, 2011, about Faria, the  
2 Faria murder?

3 A On the 29th?

4 Q Or 30th.

5 A I obviously spoke with Mike Rush at some  
6 point. If there was a press conference, I would not  
7 have spoken at that, that would have only been the  
8 commander and possibly the sheriff.

9 Q Okay. So you do think you spoke to Mike Rush?

10 A I recall speaking to Mike Rush.

11 Q Do you remember when it was, in terms of -- we  
12 can put it in context maybe, before or after Russ  
13 Faria's release, do you have any knowledge of that?

14 A I recall that it was dark outside. That's  
15 what I remember.

16 Q It was wintertime, so it might have been early  
17 on the evening of the December 29th, the day of his  
18 release. Does that sound right?

19 A I don't know specifically when it was, but I  
20 remember that it was dark outside.

21 Q Was there anybody else there for the  
22 conversation?

23 A I don't recall.

24 Q Do you know, was it, was it, he sort of saw  
25 you and said, hey, do you have a second to talk, or was



Page 81

1 it some kind of a formal event where you said I'll talk  
 2 to anybody? What's the context?  
 3 How did you come about to talk to him?  
 4 A He was in the parking lot when I walked out to  
 5 go to my car.  
 6 Q And he said will you speak to me?  
 7 A Yes.  
 8 Q And you said?  
 9 A I said sure.  
 10 Q And you talked to him?  
 11 A Yes.  
 12 Q So did you talk to him any other time in those  
 13 couple of days?  
 14 A I don't believe so.  
 15 Q Do you believe this report, even though you  
 16 disagree with its contexts -- its contents, relates to  
 17 that conversation?  
 18 A It doesn't appear to have anything in it that  
 19 was involved in that conversation, but I don't believe I  
 20 spoke with Mike Rush on any other time.  
 21 Q Okay. Fair enough. Do you, as you sit here  
 22 now, believe you used the term fast-track with Mike Rush  
 23 in that conversation?  
 24 A No.  
 25 Q Do you believe that you used any words that

Page 82

1 could be interpreted to mean fast-track?  
 2 A I don't believe so.  
 3 Q Do you remember talking to the Major Case  
 4 Squad, anybody in the personnel of Major Case Squad  
 5 after Russ Faria's release about any attempt to gather  
 6 further evidence in the case?  
 7 MR. HEIGELE: Could you restate that, please?  
 8 Q (By Mr. Schock) Sure. After Russell  
 9 Faria's -- Let me start over.  
 10 After Russ Faria's release, did you talk to  
 11 anybody in the Major Case Squad about gathering further  
 12 evidence on the question of who had murdered Betsy Faria?  
 13 A I don't recall speaking with them.  
 14 Q You don't recall saying we need more evidence  
 15 to charge him or anybody else, to anybody on the Major  
 16 Case Squad?  
 17 MR. HEIGELE: You mean other than the initial  
 18 discussions as to the first probable cause statement?  
 19 Q (By Mr. Schock) When you say the first  
 20 probable cause statement, are you talking about one that  
 21 might have been presented to her --  
 22 MR. HEIGELE: Yeah.  
 23 Q -- before his release?  
 24 MR. HEIGELE: That's the conversations she's  
 25 already had.

Page 83

1 Q (By Mr. Schock) Right. Now I'm going to a  
 2 new time frame, after his release, asking whether you  
 3 recall any conversations with anybody in the Major Case  
 4 Squad about trying to gather more evidence, and get  
 5 enough evidence to charge Russ Faria, or anybody else?  
 6 A No. I, I recall they were still running down  
 7 leads.  
 8 Q Okay. Anybody other than the Major Case Squad  
 9 and law enforcement you had such conversations with?  
 10 A No.  
 11 Q Are you aware that there was a probable cause  
 12 statement submitted on January 3rd?  
 13 A I'm aware that one was submitted somewhere  
 14 around that time frame.  
 15 Q And pursuant to that, with that probable cause  
 16 statement you charged Russ Faria with murder; right?  
 17 A Correct.  
 18 Q And he was arrested; right?  
 19 A Correct.  
 20 Q Well, did you issue the charge on the 3rd, do  
 21 you remember? Did you actually file the charge on the  
 22 3rd, and maybe he was arrested the next day; does that  
 23 sound right?  
 24 A I don't remember if I filed it the same day he  
 25 was arrested, or if I filed it the day before.

Page 84

1 Q Do you know as you sit here now what  
 2 additional evidence was gathered by law enforcement  
 3 after Russell Faria's release on the 29th, which, in  
 4 your mind, was sufficient to issue the charge on  
 5 January 3rd or 4th, whatever day you actually filed it?  
 6 A I don't remember specifically the -- how much  
 7 additional information was, was gathered, or was added  
 8 to the probable cause statement.  
 9 Q At that time did you form a belief as to when  
 10 the murder occurred?  
 11 A At what time?  
 12 Q Between the time when Russ was released on the  
 13 29th and you issued the murder charge, did you form an  
 14 opinion as to when the murder occurred?  
 15 A No.  
 16 Q Would you say that at that point it was  
 17 between, say the earliest time it could have been was  
 18 that phone call, which was after 7:00, the phone call  
 19 between -- when Betsy left the message with Pam Hupp's  
 20 husband, and when first responders found her body dead,  
 21 we agreed with that; right?  
 22 A I would agree that it occurred some time after  
 23 she spoke with her daughter on the phone, and when Russ  
 24 Faria called 9-1-1.  
 25 Q In the course of issuing the charge, and

Page 85

1 thinking -- you didn't think a lot about the case and  
 2 the evidence, that's your job; right?  
 3 A Correct.  
 4 Q Did you form an opinion as to whether -- Did  
 5 you form an opinion based on the evidence as to whether  
 6 your, in your opinion, Russ Faria had been with Corbin  
 7 between roughly 6:00 and 9:00?  
 8 A I didn't have an opinion at that point.  
 9 Q Okay. Did you have an opinion as to whether  
 10 the body had been dead for a substantial amount of time,  
 11 being at least half an hour, minimum half an hour,  
 12 before Russ Faria called 911?  
 13 A I didn't have an opinion at that point.  
 14 Q Is it a fair statement that you issued the  
 15 murder charge without then having a theory of when Russ  
 16 Faria murdered Betsy Faria?  
 17 A No. That's not a fair statement.  
 18 Q Okay. Then help me reconcile those two  
 19 statements. I thought you said you didn't --  
 20 MR. HEIGELE: She just testified as to when  
 21 the murder had to have occurred.  
 22 Q (By Mr. Schock) Well, you put it between 7:00  
 23 and the time of the call, right, to the 911 call, after  
 24 the call to his daughter?  
 25 A Which is about 7:20, I believe.

Page 86

1 Q Okay.  
 2 A And 9:41 when 911 was called.  
 3 Q What I'm asking is, did you formulate an  
 4 opinion, more specific than that, or was it just your  
 5 opinion it occurred during that time?  
 6 MR. HEIGELE: At the point of when?  
 7 Q (By Mr. Schock) When you filed the murder  
 8 charge.  
 9 A When I filed the murder charge, I knew that  
 10 the murder had occurred between the times she spoke on  
 11 the phone, "she" being Betsy, with her daughter, and  
 12 when Russ Faria came home and called 911.  
 13 Q And that was the extent of your opinion as to  
 14 the time at that time?  
 15 A Sure.  
 16 Q Not more specific than that?  
 17 A Correct.  
 18 Q Were you aware that those first responders,  
 19 police, excuse me, fire and ambulance, had indicated,  
 20 based on their observations, that the body had been dead  
 21 for an hour or so when Russ made the call?  
 22 MR. HEIGELE: Asked and answered.  
 23 A I wasn't aware of those specific statements.  
 24 Q (By Mr. Schock) Well, were you aware that  
 25 statements to that effect had been made by those people?

Page 87

1 A Not with regard to timeline, no.  
 2 Q Well, you were at those briefings when the  
 3 first responder's observation of stiffness, blood and  
 4 temperature had been stated; right? I mean, you knew  
 5 about that; right?  
 6 MR. HEIGELE: Misstates testimony.  
 7 A I knew that they had -- someone had said  
 8 something about being cool to the touch, and someone had  
 9 said something about stiff. It might have been the same  
 10 person, it might have been a different person. I'm not  
 11 sure about that.  
 12 Q (By Mr. Schock) Did you think it was your  
 13 duty as a prosecutor to get into the details of when  
 14 the -- when this person you're charging had committed  
 15 the crime, other than that general time frame that we  
 16 spoke of?  
 17 I'll use the term general time frame as 7:15,  
 18 7:20, the call with the daughter and the 911 call.  
 19 MR. HEIGELE: It's argumentative, and it's  
 20 asked and answered.  
 21 A I don't understand the question.  
 22 Q (By Mr. Schock) Sure. Let me go back.  
 23 Do you believe it was your duty as a prosecutor  
 24 in issuing a charge of murder to get specific about how  
 25 the crime had occurred, including the time?

Page 88

1 A No.  
 2 Q Did you believe these statements that you had  
 3 heard, or were aware of about coolness, stiffness, and  
 4 blood condition, that it was, first, as to the first  
 5 two, cool and stiff, and as the second two, that there  
 6 was some contradictory evidence; right? Soppiness,  
 7 versus coagulant setup?  
 8 MR. HEIGELE: It misstates the testimony as to  
 9 the time frame in which these discussions were had in  
 10 context of the filing of the charges, and the Major Case  
 11 Squad, so it's argumentative and it's vague, so, and I  
 12 believe it's been asked and answered.  
 13 But if you want to, I guess, rephrase it in  
 14 another way, or have her reread it, and she can try to  
 15 notice it, that's fine.  
 16 Q (By Mr. Schock) First of all, do you remember  
 17 the question I asked?  
 18 A No.  
 19 MR. SCHOCK: Okay. Jane, would you please  
 20 reread the question.  
 21 MR. HEIGELE: Sorry.  
 22 [Reporter read back the question on page 88,  
 23 line 2].  
 24 A I didn't understand the question.  
 25 Q (By Mr. Schock) Okay. I'll ask it again.

Page 89

1 Were you, when you issued the charge, aware that  
2 the first responders had indicated that the body was stiff  
3 when they arrived?

4 A Yes.

5 Q Were you aware that the first responders had  
6 indicated that the body was cool when they arrived?

7 A Yes.

8 Q Were you aware that there was -- there were  
9 statements from first responders and police officers  
10 that were somewhat contradictory of the condition of the  
11 blood when they arrived?

12 A Yes.

13 Q And the contradiction was that some said it  
14 was soppy, whatever the right word is, and some said it  
15 was setup, and/or coagulated; true?

16 A I don't remember setup, and/or coagulated. I  
17 remember soppy, or something like that.

18 Q Do you remember anybody saying that the blood  
19 was settled?

20 A No. I remember there was contradiction in  
21 their understanding of it.

22 Q Okay. Did that information about stiffness  
23 and coolness lead you to any conclusion as to how long  
24 the body had -- how long Betsy Faria had been dead when  
25 the first responders arrived?

Page 90

1 A No.

2 Q Is that because you didn't consider it?

3 A It's because I didn't trust it.

4 Q Sounds like what McCarrick said. Why didn't  
5 you trust it?

6 A For a variety of reasons.

7 Q What were those reasons?

8 A Well, it was cold outside, the doors were wide  
9 open. There was no indication -- There was indication  
10 from the first responder that he touched the body for  
11 less than a second with two fingers on her forearm.

12 He was wearing, they were all wearing big parka  
13 coats and gloves, so I didn't trust that.

14 We knew that the body had, had to be alive at  
15 7:20, and we knew that she was dead at 9:40, so the best  
16 scenario, or the worst scenario is that she had been dead  
17 just over two hours.

18 My limited knowledge of rigor mortis and how  
19 long it takes would not have a body be completely stiff in  
20 a two-hour window, so I didn't trust the information.

21 Not to mention, one of the first responders  
22 indicated that once they realized that this was not a  
23 suicide, they directed everyone else to go outside, so  
24 there wasn't a lot of firsthand information.

25 It was all kind of trickling through two or

Page 91

1 three individuals, and then back through law enforcement,  
2 and then back to the Major Case Squad.

3 Q Well, there were reports written, weren't  
4 there? About -- By the first responders?

5 A I don't remember if they wrote reports, or if  
6 law enforcement wrote reports after they spoke with  
7 them.

8 Q Did you review any reports about the condition  
9 of the body before you issued the charge?

10 A I don't -- I didn't review any reports,  
11 because there weren't any written reports at that point  
12 that I recall.

13 Q So it was all oral?

14 A As I recall, yes. I didn't review anything  
15 written until much later.

16 Q All right. I'd like now to turn to this  
17 luminescence test issue.

18 Do you recall that there was something done  
19 called a luminescence test?

20 A Yes.

21 Q What is your understanding of what was done in  
22 that test?

23 A Can you be more specific?

24 Q Yeah. What was the test? What were they  
25 testing? What did they do?

Page 92

1 A I don't know how the process works, but I know  
2 the goal is to, to determine if there was any evidence  
3 of a cleanup, of blood cleanup.

4 Q Was there also a purpose to see if there was  
5 some kind of a path to a certain part of the kitchen?

6 A I don't believe -- I don't recall that there  
7 was a specific purpose. I wouldn't have known that.  
8 That would have been outside my purview.

9 Q Did you do anything to propose or encourage  
10 law enforcement to do the luminescence test?

11 MR. HEIGELE: Could you restate that, please?  
12 It's vague. I didn't understand it.

13 Q (By Mr. Schock) Sure. Did you take any  
14 action to encourage law enforcement to conduct a  
15 luminescence test?

16 A I signed off on the search warrant  
17 application.

18 Q Why did you sign off on the search warrant  
19 application?

20 A Because I believed that the four corners of  
21 their affidavit met the requirements, so I signed off on  
22 it, presented it to a judge

23 Q Who agreed for the test; right?

24 A Correct.

25 Q Well, what about the document made you think



Page 93

1 that it was -- I mean, it was your decision to take it  
2 to the judge; right?

3 I mean, you -- Let me restate.

4 They take it, but you got to sign it; right?

5 A Correct. And as I sit here today, I'm not 100  
6 percent positive that I am the one that signed that  
7 application, but it's likely that I did.

8 Q Okay. I think you did.

9 A Okay.

10 Q As you sit here today, do you remember  
11 discussions with the law enforcement officers about that  
12 search warrant application, which you had in connection  
13 with your decision to affix your signature?

14 A I don't remember specific discussions about  
15 that application, no.

16 Q Did they drop it off and you signed it, or did  
17 you talk to them about it?

18 A I don't recall.

19 Q Did you, did you ever speak to anyone in law  
20 enforcement and suggest that they do such a test?

21 A No.

22 Q Did you have any theory at that time about --  
23 that, that Russ Faria had gone directly to a towel  
24 drawer, and only he would know where the towel drawer  
25 was?

Page 94

1 A No.

2 Q Have you ever heard anything in this case  
3 about that theory? Is that new today to you?

4 A It's not new today.

5 Q Okay. Tell me how you heard about that theory  
6 in the past.

7 A I don't think I heard about it. I think that  
8 there was a drawer facing that luminesced, one of -- the  
9 only one in the kitchen, and it happened to be the towel  
10 drawer. And it wasn't right next to the sink, it was a  
11 few drawers over, as I recall, at least one or two  
12 drawers over.

13 Q So was it a theory of the prosecution that  
14 Russ Faria went to that drawer, and only he would know  
15 what was in that drawer, which is what we're trying to  
16 show with the luminescence test; does that sound right?

17 MR. HEIGELE: At what point are you talking?

18 Q (By Mr. Schock) When the decision was made to  
19 make the test.

20 A Not when the decision was made to make the  
21 test, no.

22 Q Tell me when that theory came up.

23 A What theory?

24 Q The theory that only Russ Faria would know  
25 where the towel drawer was, and he had gone straight to

Page 95

1 the towel drawer to get something to cleanup?

2 A I don't know that that was ever a theory.

3 Q Was something like that a theory?

4 A The theory was, there was a cleanup in the  
5 kitchen, and it appeared that a towel, or something out  
6 of that drawer, or that that drawer was accessed during  
7 that time.

8 Q After her death?

9 A I don't know that that was -- Well, yeah,  
10 sure, after her death.

11 Q Because I mean, there's no blood before her  
12 death; right?

13 A Well, I mean, it isn't -- Yes. Correct.

14 Q Okay. And who came up with that theory?

15 A I don't recall.

16 Q Was it before the issuance of the probable  
17 cause statement which accompanied the murder charge,  
18 that that theory became the subject of discussion?

19 A No.

20 Q It was after?

21 A I believe so.

22 Q Were you present for the luminescence test?

23 A No.

24 Q Did you know when it was happening?

25 A Not specifically.

Page 96

1 Q Did you know that the house had not been  
2 secure in the interim since Russ Faria's release, and  
3 the test?

4 A Yes.

5 Q Did you have concern that any evidence that  
6 might be gathered of any kind of cleanup might have been  
7 a cleanup that occurred after his release --

8 A No.

9 Q -- on the 29th?

10 A No.

11 Q Why not?

12 A Because photographs were taken and video, I  
13 think, if I -- if memory serves me correctly, I think  
14 there was even a video taken of the scene, during the  
15 time that the Major Case was called out, so that would  
16 have captured blood, if you will, on the, on the floor  
17 in a photograph.

18 Q Well, there was blood near her body; right?

19 A Sure.

20 Q There was no blood on his clothes; right?

21 A Correct.

22 Q There was no -- Well, let me retract that.

23 Do you remember that some law enforcement  
24 personnel in connection with the Major Case Squad had  
25 concluded that there had been no cleanup?



Page 97

1 A I didn't -- I did not know that.  
 2 Q And when I say cleanup, I mean the Major Case  
 3 Squad had found no odor of cleaning materials; correct?  
 4 Does that ring a bell?  
 5 A No.  
 6 Q How about that there had been seen no swiping  
 7 motions on the floor, anything like that?  
 8 A I don't remember anything about that.  
 9 Q Do you remember, do you remember anything  
 10 about the condition of the floor, that it was dirty?  
 11 MR. HEIGELE: Go ahead, if you know.  
 12 A I don't remember anything about that, at the  
 13 time.  
 14 Q (By Mr. Schock) Right. I'm only asking you  
 15 before the probable cause statement. I'm asking you  
 16 about your decisions to issue the charge now.  
 17 This luminescence test occurred; right? You  
 18 were aware it occurred?  
 19 A Correct.  
 20 Q And then did the officers come and talk to you  
 21 about it?  
 22 A I'm sure they did.  
 23 Q Who came and talked to you about it?  
 24 A I don't recall.  
 25 Q Does it sound like -- If I told you that

Page 98

1 Mr. Merkel, at the end of the table, was involved in the  
 2 tac test, would that ring a bell?  
 3 A I knew that he was involved in the test, but I  
 4 don't remember if he came and spoke with me about it.  
 5 Q And his wife, I think she might have had a  
 6 different name then; right? Does that sound right?  
 7 A Correct.  
 8 Q But she was also involved in the test; right?  
 9 A I didn't know who was involved in the test.  
 10 Q And did they submit to you a report?  
 11 A At some point they did.  
 12 Q Do you remember what the contents of the  
 13 report was?  
 14 A No.  
 15 Q Did you use that report to -- Let me restate  
 16 that. Did that report influence your decision to issue  
 17 the charge?  
 18 A I wouldn't have had that report for some time  
 19 after the charge was made.  
 20 Q So is it a fair statement that to the extent  
 21 that the luminescence test had anything to do with your  
 22 decision to charge Mr. Faria, it was based on oral  
 23 communications from the people who were involved?  
 24 A That's correct.  
 25 MR. HEIGELE: And a probable cause statement

Page 99

1 that was sworn out by the law enforcement officer?  
 2 A That's correct.  
 3 Q (By Mr. Schock) Including what he said.  
 4 A Correct.  
 5 MR. HEIGELE: Just trying to keep you honest.  
 6 MR. SCHOCK: I appreciate that.  
 7 MR. HEIGELE: I know.  
 8 Q (By Mr. Schock) You were aware that the  
 9 officers used a camera during luminescence test; is that  
 10 correct?  
 11 At the time that it occurred, you knew that they  
 12 were going to use a camera; right?  
 13 A I don't know if I knew that that was part of  
 14 it, or not, at the time.  
 15 Q When they talked to you about it, did they say  
 16 anything about using a camera?  
 17 A No.  
 18 Q Were you aware that they took pictures?  
 19 A I don't know if I was at the time. I wouldn't  
 20 have -- When they do their investigation and they do  
 21 different things, I don't necessarily know the protocol  
 22 in which those things occur.  
 23 I don't know how they work. I'm not trained in  
 24 that area, so I don't know -- when they say we want to go  
 25 and do -- apply Bluestar and see if we can get, you know,

Page 100

1 any information, or evidence, gather any evidence, then  
 2 okay, let's, you know, give me an affidavit and tell me  
 3 why. But they don't say this is how we're going to do it.  
 4 I don't know any of those things.  
 5 Q Okay. Well, you are aware now that they took  
 6 pictures; right?  
 7 A Correct.  
 8 Q And you're aware now that the officers took  
 9 the position that the photographs showed absolutely  
 10 nothing; right?  
 11 A That's incorrect.  
 12 Q Okay. What did they tell you that their  
 13 pictures showed, at any time in this case?  
 14 A They told me that the camera did not capture  
 15 what their eyes saw.  
 16 Q And in fact, in the time of the first trial,  
 17 there were no pictures given to the defense counsel  
 18 team; right?  
 19 A Well, that's incorrect.  
 20 Q Well, tell me about that.  
 21 A On at least four separate occasions defense  
 22 counsel was given and provided in discovery, our  
 23 evidence logs, which included a log for each search  
 24 warrant that was conducted.  
 25 And on those logs it contained the reports and

Page 101

Page 103

1 disks for photos. That was communicated to them, they  
2 were given them. They elected not to go to the evidence  
3 locker and look at them.

4 Q When was the first time you saw the  
5 photographs of the luminescence test?

6 A I'm not certain.

7 Q Was it between the two trials?

8 A Yes.

9 Q Okay. So you had not seen them before the  
10 first trial?

11 A Correct.

12 Q Do you know how the photographs were delivered  
13 to defense counsel's office?

14 A I believe I hand-delivered them to Mr. Swanson  
15 in my office.

16 Q You elicited testimony in the first trial from  
17 Mr. Merkel that the camera malfunctioned; is that  
18 correct?

19 A I don't remember the testimony I elicited from  
20 him specifically, but I know that there was a  
21 malfunction in the camera and it had to be sent off.

22 Q And the malfunction was that, such a severe  
23 one that there were no pictures; right?

24 MR. HEIGELE: That misstates his testimony,  
25 but to that event, if you can testify as to that.

1 whether the pictures accurately showed, and were  
2 representative of the luminescence test results?

3 A Yes.

4 Q What was the response?

5 A No.

6 Q Okay. How were they different?

7 A Because the camera did not capture what their  
8 eyes saw when they performed the test.

9 Q So you think the pictures, when finally they  
10 did show up, when you gave them to Mr. Swanson, or a  
11 representative anyway, is that a fair statement of what  
12 they'd seen?

13 A They were not representative of what they had  
14 seen while they were there performing the test live.

15 Q And as you sit here now, you believe that?

16 A Yes.

17 Q Okay. The probable cause statement, which  
18 accompanied the murder charge, was prepared by  
19 Mr. McCarrick; is that right?

20 A Probably.

21 Q Who was in charge of that investigation before  
22 you issued the murder charge?

23 A At what point?

24 MR. HEIGELE: I was going to say, that's vague  
25 as to what, quote, unquote, "the investigation at that

Page 102

Page 104

1 A I don't recall what his testimony was.

2 Q (By Mr. Schock) Okay. Well, we'll look at  
3 that later, and see what the -- the truth will be in the  
4 transcript.

5 Have you looked at those pictures? Did you look  
6 at those pictures between the two trials?

7 A At some point I did.

8 Q When?

9 A I don't know specifically when.

10 Q Before the trial, second trial started?

11 A Yes.

12 Q And do you believe that those were all the  
13 pictures that were taken, the ones that were presented  
14 to Mr. Swanson in your office?

15 I mean, were there any pictures that weren't  
16 turned over? Let's put it that way.

17 A I believe a disk was turned over, which was  
18 the disk from evidence, because they decided they wanted  
19 to see it at that point. So that's why I looked at it,  
20 because then they were going to be looking at it.

21 Q When you looked at it, did you ask Mr. -- Did  
22 you, did you talk to Mr. Merkel or anybody else involved  
23 in the test about it?

24 A I'm sure I did.

25 Q Did you ask the question in that conversation

1 point."

2 Q (By Mr. Schock) I appreciate that. I am  
3 going to rephrase to make this more clear. Let's break  
4 it up into some time frames.

5 Based on the knowledge that you have right now  
6 sitting here today, do you have an opinion as to who was  
7 in charge of the investigation of the murder of Betsy  
8 Faria in the 12 hours after that murder?

9 A Yes.

10 Q Who?

11 A In the first four hours would have been the  
12 sheriff, and thereafter, would have been the commander  
13 of the Major Case Squad.

14 Q Mr. Schimweg?

15 A Correct.

16 Q Now how long did he remain in charge of that  
17 investigation?

18 A Until the Major Case Squad disband.

19 Q So he was the boss of the investigation, and I  
20 think there was testimony that that ended on the 31st;  
21 right?

22 A Correct.

23 Q Does that sound right?

24 A Yes.

25 Q That sounds like the right date to you?

Page 105

Page 107

1 A It believe it was New Year's Eve, yes.

2 Q So he was in charge during that period. Who  
3 was in charge of the investigation on the first,  
4 second -- well, until you filed the charge, the murder  
5 charge?

6 A Well, inasmuch -- From like a hierarchy  
7 position, it would go back to the sheriff.

8 Q So the sheriff was in charge?

9 A But the case would have been designated to an  
10 individual.

11 Q Do you know who that individual was?

12 A I believe it was McCarrick.

13 Q And he worked for Lincoln County; right?

14 A Correct.

15 Q Did he know about the luminescence test?

16 A Yeah, I think he was present.

17 Q Did you have any meetings with McCarrick over  
18 the course of the time period after the Major Case Squad  
19 call-out ended, and you received the probable cause  
20 statement from him?

21 Did you speak to him at all?

22 A I would have spoken with him when he applied  
23 for a search warrant.

24 Q And tell me the substance of that  
25 conversation.

1 Q And the answer was?

2 A No.

3 Q So why was the, whether it was a paw print, or  
4 not, relevant?

5 A Well, because the dog was outside, according  
6 to your client, the dog was outside when he got home.  
7 And there appeared to be a paw print in blood on the  
8 victim's body, and there wasn't any -- there weren't any  
9 other paw prints throughout the house.

10 So unless the dog had wings and flew out, that  
11 seemed unlikely.

12 Q I mean, Russ Faria could have carried him out;  
13 right? That was one theory; right?

14 A I don't remember that being a theory.

15 Q Okay. Could have been there wasn't a paw  
16 print at all; right?

17 A That was not my belief.

18 Q Okay. How were you so sure it was a paw  
19 print?

20 A It looked like a paw print.

21 Q There was -- Was there a test of that material  
22 on the clothing? It was on her clothing; right?

23 A Correct.

24 Q Was there a test to see whether that was DNA,  
25 blood, DNA?

Page 106

Page 108

1 A I don't recall the substance, other than he  
2 was applying for a search warrant.

3 Q He presented you with written materials?

4 A Correct.

5 Q You reviewed them?

6 A Correct.

7 Q Do you remember now what those materials said?

8 A No.

9 Q I mean, we have a copy of it; right?

10 A Right.

11 Q The copies, you've seen the copy, you remember  
12 signing it; right?

13 A Yeah. I remember him applying, I remember  
14 signing it, I remember a judge signing off, I remember  
15 them going and doing that.

16 Q Okay. Did you discuss the paw print on the  
17 pos derriere of Betsy Faria with anybody in law  
18 enforcement before you filed the charge against Russ for  
19 murder?

20 A I'm sure I did.

21 Q Tell me the substance of those conversations,  
22 who you had them with and what was said.

23 A I don't remember specifically who I had them  
24 with, but I remember asking if there were any other paw  
25 prints in blood anywhere else in the house.

1 A At what point?

2 Q At any point. Well, before the probable cause  
3 statement.

4 A I mean, I wasn't aware that one had been  
5 conducted at that point.

6 Q Okay. Let me ask you a question: Do you  
7 recall that the forensics on the cabinetry and the tiles  
8 of the floor came back no blood in, say, roughly March  
9 of 2012?

10 A I don't remember what they specifically said,  
11 but I know they tested negative for whatever it was we  
12 were testing -- they sent them, or we sent them off to  
13 be tested for.

14 Q Do you believe that that negated the  
15 luminescence test?

16 A No.

17 Q Why not?

18 A Because the criminalist was able to explain  
19 why that would happen, and how that could happen.

20 Q Tell me what the criminalist said.

21 A The criminalist said we are already working  
22 with a surface that's -- I don't know if it was,  
23 difficult's the right word, but the long and the short  
24 of it is, the surface already appeared to be clean, so  
25 there was already diluents that were used on that

Page 109

Page 111

1 surface. And the test itself requires the use of more  
2 diluents so that they --

3 Q I'm sorry. What's that word you're using?

4 MR. HEIGELE: Diluents.

5 Q Diluents.

6 A We call it diluents.

7 MR. HEIGELE: Well, I mean, stupid attorney  
8 talk. It's diluents.

9 A Okay. In the medical world I think --  
10 whatever. They use liquid to clean, if it were cleaned,  
11 there would have been liquid used to clean.

12 Q (By Mr. Schock) Okay. Let's, we got to way  
13 back up here, because I don't know who "they" is. Let's  
14 set our time frames, okay. I want to start over in this  
15 conversation.

16 A Okay.

17 Q I got lost on your pronouns.

18 A Okay. Sorry.

19 Q There was a luminescence test done; right?

20 A Correct.

21 Q Mr. Merkel said it shows certain things, and  
22 that appeared in Mr. McCarrick's probable cause  
23 statement?

24 A True. I believe Mr. McCarrick was present  
25 during the luminescence test.

1 Q I mean, you said no, we've established you  
2 said no on the 29th; right?

3 A I said no when the first P.C. was presented,  
4 or discussed.

5 Q Right. And then you said yes?

6 A Correct.

7 Q A few days later?

8 A [Nodding].

9 Q What evidence was gathered in the intervening  
10 period that led you to change your mind?

11 A I don't remember what specifically they had  
12 gathered before, or after. I just, by the time the  
13 charge was issued, I believed that they had met their  
14 probable cause.

15 Q Do you agree that the belief as to that they  
16 had met probable cause had to be based on evidence?

17 A Sure.

18 Q And so is it a fair statement that there must  
19 be -- there must have been new evidence, or you would  
20 have had the same opinion you'd had a few days earlier;  
21 right?

22 A Or that they included it in their probable  
23 cause.

24 Q Oh, so there was information you didn't know  
25 on the 29th that had already been gathered that you got

Page 110

Page 112

1 Q Okay.

2 A So I'm not certain if his probable cause  
3 statement indicated what, what Merkel said, or not, or  
4 whether it was just his own observations.

5 Q But the probable cause statement basically  
6 included information about that luminescence test;  
7 right?

8 A That's correct.

9 Q And in fact, wasn't that the only additional  
10 evidence that was gathered between the release of  
11 Russell Faria on the 29th, and the filing of the charge  
12 on the 3rd?

13 MR. HEIGELE: Calls for speculation, but you  
14 can answer.

15 Q (By Mr. Schock) I need to rephrase then.

16 What evidence do you know of that was gathered,  
17 between the release of Russell Faria on the 29th, and the  
18 charge on the third of January, that was new during that  
19 time period? What was gathered, what evidence was  
20 gathered against Mr. Faria?

21 MR. RETTER: Other than the Bluestar?

22 Q (By Mr. Schock) Other than the Bluestar.

23 A I don't know.

24 Q I mean, you issued the charge; right?

25 A Correct.

1 in the interim?

2 A Perhaps.

3 Q Was there any such evidence?

4 A I don't know.

5 Q Well, on the 29th, didn't you make a strong  
6 and diligent inquiry and try to examine all relevant  
7 evidence to see if there was enough evidence to charge  
8 Mr. Faria?

9 MR. HEIGELE: It's argumentative, misstates  
10 testimony.

11 A It's not -- I don't gather evidence.

12 Q (By Mr. Schock) I know. You, you receive  
13 evidence from law enforcement, and you make a decision  
14 as to whether to charge; right?

15 A I receive a statement. And if I believe that,  
16 in the four corners of that statement, or what they are  
17 giving me indicates that there's probable cause, then  
18 I'll issue a charge. If, if it doesn't, then I won't.

19 But oftentimes they don't put all the  
20 information that they have on the document, and there may  
21 be extra information that they just haven't included at  
22 that point.

23 Q Well, do you think that law enforcement, when  
24 they're getting ready to approach a prosecutor to issue  
25 a charge, tries to include all the relevant information?



Page 113

Page 115

1 MR. HEIGELE: Speculation, vague.

2 A My job would be much easier if they did that,  
3 yes.

4 Q (By Mr. Schock) How often, in your  
5 experience, have they not done that?

6 MR. HEIGELE: Again, same objection.  
7 Argumentative.

8 A How often in my experience have they not done  
9 what?

10 Q Not given you all the information that they  
11 have in some sort of coherent form so you can make an  
12 evaluation, that they just leave things out, how often  
13 has that happened to you, as a prosecutor?

14 MR. HEIGELE: Same objection.

15 A Often.

16 Q (By Mr. Schock) Tell me about some times when  
17 that's happened.

18 MR. HEIGELE: Same objection.

19 A We want to do a search warrant on this house,  
20 there was a rape that was committed in whatever year, we  
21 believed that this person is the person that committed  
22 the rape, and we believe that he resides in this house,  
23 and went to go in and search the house for this person  
24 and bring him out so that we can get his DNA.

25 There's an example.

1 the paper, in which case I can't issue.

2 Q Now you might send them back and say, hey,  
3 work harder on this; right?

4 A Actually, I just refuse it.

5 Q Okay. And in this case, you refused it;  
6 right? On the 29th.

7 A Correct.

8 Q And we don't have a copy of what they  
9 presented to you; right?

10 A Correct. And I don't know if they presented,  
11 or if they just verbally said, this is what we got. I  
12 don't know.

13 Q Have you ever written a probable cause  
14 statement for the officer?

15 A No.

16 Q Did you do it in this case?

17 A No.

18 Q In this case, do you believe that what they  
19 presented to you was somehow incomplete, and it included  
20 information other than what was in the luminescence  
21 test?

22 Let me restate that. Give me another chance  
23 with that one, okay.

24 You've indicated that on the 29th they came to  
25 you, either with a writing or orally, and said here's what

Page 114

Page 116

1 Q (By Mr. Schock) Well --

2 MR. HEIGELE: Which is totally unrelated to  
3 this case.

4 A Correct.

5 Q (By Mr. Schock) I understand that. It's not  
6 exactly my question.

7 You told me a moment ago that it was a common  
8 event that law enforcement, when coming to you seeking to  
9 have a charge issued, which is different than getting a  
10 search warrant, right, and sometimes they wouldn't present  
11 all the relevant evidence in favor of issuing the charge;  
12 is that what you meant to say to me a moment ago?

13 MR. HEIGELE: It misstates her testimony. Now  
14 it's argumentative.

15 Q (By Mr. Schock) But that's why I'm asking her  
16 what her testimony was. I want to understand her  
17 testimony.

18 A My testimony is that oftentimes law  
19 enforcement, when they come to me, they may talk to me  
20 about a case, they may talk to me about the situation,  
21 but when it comes down to the brass tacks of putting it  
22 on the paper, they miss connecting elements that would  
23 warrant probable cause.

24 They may have it in their mind, and they may  
25 have articulated it verbally, but they haven't put it on

1 we got against Russ Faria, and you refused it; right?

2 A Correct.

3 Q You've also indicated a few days later on the  
4 3rd they approached you with a probable cause statement,  
5 and you accepted it and issued the charge; right?

6 A Some time thereafter, yes.

7 Q What do you mean some time thereafter?

8 A I don't know if it was 3rd or the 4th.

9 Q Okay. Third or the 4th, whichever it is?

10 A Correct.

11 Q And they came to you with a probable cause  
12 statement, and you said I will issue the charge; right?

13 A I issued the charge.

14 Q Right. And I'm asking you, what evidence did  
15 they have that they hadn't had on the 29th?

16 MR. HEIGELE: Asked and answered.

17 Q (By Mr. Schock) I'm asking it again. Please  
18 provide me that information.

19 A I don't remember.

20 Q Okay. Well, we know the luminescence test;  
21 right?

22 A Well, the luminescence test was not performed  
23 on the 29th.

24 Q Right. So they had the luminescence test;  
25 right?

Page 117

1 A Correct.  
 2 Q What else --  
 3 A It was my understanding that a luminescence  
 4 test had been performed. I didn't know that it hadn't  
 5 been until they applied for a search warrant asking for  
 6 one.  
 7 Q So on the 29th you thought it had already been  
 8 done?  
 9 A Correct.  
 10 Q Who told you that?  
 11 A Nobody. I just assumed that that was part of  
 12 it.  
 13 Q Well, when they showed up with the request for  
 14 the search warrant, you sure knew it hadn't been done;  
 15 correct?  
 16 A Correct.  
 17 Q As you sit here now, just -- I don't mean to  
 18 ask this question one more time, but I'm going to, you  
 19 don't know of any evidence, other than the luminescence  
 20 test, which was given to you on January 3rd or 4th that  
 21 hadn't been given to you on the 29th; is that true?  
 22 A I don't know that that's true.  
 23 Q Okay. Well, then try to help me with what  
 24 additional evidence you had, other than the luminescence  
 25 test on the 3rd.

Page 118

1 MR. HEIGELE: It's asked and answered.  
 2 MR. SCHOCK: Well, but she, she said there  
 3 might be more, so that's why I'm asking it again.  
 4 MR. HEIGELE: She doesn't know.  
 5 A I don't remember.  
 6 Q (By Mr. Schock) Let's let her testify. You  
 7 don't remember?  
 8 A I said I didn't believe there was probable  
 9 cause on the 29th, and when I issued the charge I did  
 10 believe there was probable cause, so there was  
 11 additional information provided to me between those two  
 12 dates.  
 13 I don't remember what additional information,  
 14 but I remember that I believed it met the standard, and  
 15 therefore, I issued the charge.  
 16 Q Fair enough.  
 17 MR. HEIGELE: You at a breaking point?  
 18 MR. SCHOCK: Sure.  
 19 MR. HEIGELE: I figured that was a --  
 20 MR. SCHOCK: Let's go off record.  
 21 [Whereupon, there was a short break].  
 22 Q (By Mr. Schock) Back on the record.  
 23 So Miss Askey, now what I'm going to do is kind  
 24 of go through my notes and some of these questions will be  
 25 a little disjointed; okay?

Page 119

1 A Okay.  
 2 Q Do you remember directing CSI Investigator  
 3 Pratt to take an impression of the dog's paw?  
 4 A No.  
 5 Q Do you think you did that?  
 6 A I know that I didn't do that.  
 7 Q You know that you did not.  
 8 Did you speak to the sheriff about the  
 9 investigation after the conclusion of the Major Case Squad  
 10 call-out, and your filing of the probable cause statement  
 11 and the charge of murder?  
 12 A I don't remember speaking to him.  
 13 Q Why don't you look at that probable cause  
 14 statement.  
 15 And it's not in that book, it's in, it's in book  
 16 seven. Can we grab book seven?  
 17 We can put five back in the left column there.  
 18 Go to page 1968, if my math is right.  
 19 MR. BRUNTRAGER: Let the record reflect that I  
 20 got the book.  
 21 MR. HEIGELE: What's your tab?  
 22 MR. SCHOCK: Tell me when you're at that page.  
 23 MR. HEIGELE: Hold on.  
 24 MR. SWANSON: Back to 54.  
 25 MR. HEIGELE: He's at 1968 starting, yeah.

Page 120

1 Q (By Mr. Schock) As you examined the evidence  
 2 and the probable cause statement, and decided that there  
 3 was probable cause to issue the charge, did you consider  
 4 any of the details of his initial entry of the house,  
 5 into the house to be relevant, particularly, the putting  
 6 down of the dog food, where the jacket was, how long it  
 7 took to see the body, and this initial statement that he  
 8 thought it was suicide; was any of that relevant to you?  
 9 A I didn't review any of the evidence. I only  
 10 reviewed the probable cause statement as it was  
 11 submitted to me.  
 12 Q Okay. So your whole analysis, decision to  
 13 issue the charge was based on what was in the probable  
 14 cause statement?  
 15 A That's always my decision when, when I file a  
 16 charge, is always based on what's in the probable cause  
 17 statement.  
 18 Q Well, in this case you had additional  
 19 knowledge, because you'd been to several of those Major  
 20 Case Squad briefings; right?  
 21 A I had been to several of the briefings. I  
 22 don't know if there was additional knowledge than what  
 23 was included in the P.C., or not.  
 24 Q Okay. But anything that was said in the  
 25 briefings that you attended that isn't in the probable

Page 121

Page 123

1 cause statement was in your mind; fair?

2 A It's fair. But I wouldn't have considered it  
3 with regard to issuing a charge.

4 Q Okay. Now the -- In D, which is on 16 --  
5 1969, it talks about this cap; right?

6 In the middle of D.

7 A Uh-huh. Yes. I'm looking at it.

8 Q And that was something that you think he  
9 either had on at some point, or there it was and it was  
10 found; right?

11 I mean, it says it was found there.

12 A Correct.

13 Q Did it seem odd to you that they were focusing  
14 on this cap, but his clothes didn't have any blood?

15 A No.

16 Q Did you consider at all the concern that they  
17 never found a fabric that matched the fabric mark on the  
18 plate, the light plate?

19 MR. HEIGELE: It's argumentative. Assumes  
20 facts not in evidence at this point.

21 A What was the question?

22 Q (By Mr. Schock) Do you remember there was  
23 some fabric mark on the light plate?

24 A I remember there was a pattern on the light  
25 plate.

1 being Betsy, and Elizabeth said she was thinking of the  
2 leaving Russell. Do you see that?

3 A Yes.

4 Q Did you have any concern that Pamela Hupp was  
5 framing Russell Faria?

6 A No.

7 Q Why not?

8 A Well, because it would have been a pretty bad  
9 frame job, is the best -- if she were framing, or if  
10 anybody were framing Russ Faria, I don't think they  
11 would make it look like a suicide. I don't think they  
12 would stab someone 55 times. I don't think they would  
13 clean up the floor, I don't think they would do it with  
14 the dog in the house. I don't think they would give a  
15 hoot if there was blood on someone else's slippers.  
16 They would just leave them there.

17 I think the only person that cares about those  
18 things is your client, so it didn't concern me, or I never  
19 thought that someone was framing him.

20 Q As you sit here now, do you think Russ Faria  
21 killed Betsy Faria?

22 A My personal opinion?

23 Q Yes.

24 A Yes, I do.

25 Q Does the fact that Pamela Hupp killed

Page 122

Page 124

1 Q Yeah, as though a piece of fabric had touched,  
2 wasn't that what the thought of the Major Case Squad and  
3 others working on it?

4 A I don't remember the Major Case Quad having  
5 any thought as to what had touched the light switch.

6 Q Do you remember that there was no evidence of  
7 cleanup, such as towels? There were no dirty towels, or  
8 anything like that?

9 A I remember that there were not any towels with  
10 blood on them.

11 Q Right.

12 A Visible blood.

13 Q Right. And you remember that his clothing had  
14 no blood; right?

15 A That's correct.

16 Q Okay. We sort of didn't finish talking  
17 about -- just backup a second. In, in March or so when  
18 the cabinets and the floor came back negative for blood,  
19 did you think that probable cause had dissipated?

20 A I don't remember what they came back negative  
21 for, but I remember that they came back negative.

22 I don't -- That did not change my opinion as to  
23 probable cause.

24 Q Okay. All right. In E it says, Hupp said  
25 Russell was not very nice to Elizabeth, "Elizabeth"

1 Gumpenberger affect that analysis at all?

2 A No, it doesn't.

3 Q In E it talks about the life insurance  
4 policies; right? The bottom of E.

5 A Yeah.

6 Q Okay. And do you agree that in all criminal  
7 investigations motive is relevant?

8 A Sure.

9 Q And was it your understanding at the time you  
10 filed the charge that Pamela Hupp had made herself the  
11 beneficiary of the life insurance policy?

12 A No.

13 Q You didn't know about that at that time?

14 A It was my understanding that Betsy Faria had  
15 made Pam Hupp the beneficiary of one of her policies.

16 Q Right. One of her policies; right?

17 A Correct.

18 Q Right. I should have been more specific.  
19 Thank you.

20 MR. HEIGELE: Yes, you should have.

21 Q (By Mr. Schock) But you did know that?

22 A I did.

23 Q And that created a motive for Pamela Hupp to  
24 kill Betsy Faria, do you agree with that?

25 A I disagree with that.

Page 125

Page 127

1 Q Why?

2 A Because -- Well, because she was going to die  
3 soon anyway. And because, if that was her motive, I  
4 would have expected someone who was savvy in the  
5 insurance business to have at least waited long enough  
6 to make sure that change was complete before they killed  
7 her.

8 Q Okay. Now we go down to G.

9 A On the following page?

10 Q Yes.

11 A Yes.

12 Q And this talks about the illuminating  
13 materials; right?

14 It goes into the dog. Why don't you read G and  
15 tell me when you're done.

16 A Okay.

17 Q Okay. So there's all this stuff about the  
18 luminescence, and the theory of the going to the towel  
19 drawer in there; right? Right? Blood?

20 A Correct.

21 Q But the blood came up negative three months  
22 later; right? There was no blood?

23 A The samples that were submitted tested, and  
24 were tested, I'm not sure what they were tested for, but  
25 the test came back negative.

Page 126

Page 128

1 And I believe there was a presumptive -- I don't  
2 remember exactly what they said.

3 Q But I mean, once they came back negative,  
4 didn't everything about G disappear?

5 MR. HEIGELE: Argumentative. Misstates her  
6 past testimony, especially in regards to the diluents.

7 A It's diluent, by the way.

8 MR. HEIGELE: It's diluent. Sorry. That  
9 she's already testified to.

10 A Does G go away?

11 Q (By Mr. Schock) Yeah. That's my question.

12 A No.

13 Q Why not?

14 A If I build a snowman in the morning and it's  
15 gone when I get home, it doesn't mean the snowman never  
16 existed.

17 Q That's your best answer?

18 A That's my answer.

19 MR. HEIGELE: That's my client.

20 Q (By Mr. Schock) That's fine. Now in H  
21 there's a poly; right? Reference to the poly?

22 A Correct.

23 Q You said it showed extreme deception; right?

24 A Correct. That he, Russell Faria, showed  
25 extreme deception.

1 Q And you believe it was fair and reasonable to  
2 rely on that probable cause statement from McCarrick,  
3 but I mean, it's based on hearsay, but that's how it  
4 works; right?

5 A I rely on officers' testimony all the time  
6 when I --

7 Q Of course. And McCarrick, you didn't think  
8 that McCarrick was the poly examiner, did you?

9 A I don't know that I knew.

10 Q You, I think you've told us that he was the  
11 report writer. He wasn't the guy going out and  
12 interviewing people and doing the polygraph?

13 A Right.

14 Q You knew he wasn't the polygraph guy; right?

15 A Based on the date, I would assume that he was  
16 not the polygraph person.

17 Q Right. So he relied on another person in law  
18 enforcement's conclusion; right?

19 A Correct.

20 Q Do you think that it was fair that he was  
21 ignoring other evidence, particularly, this first  
22 responder evidence?

23 MR. HEIGELE: That's argumentative. It, it  
24 assumes facts not in evidence. It misstates prior  
25 testimony, and that's my objection.

1 A I think that when Detective Sergeant McCarrick  
2 submitted me a probable cause statement, it was  
3 sufficient to issue charges.

4 MR. SCHOCK: Okay. That's fine. I'm getting  
5 near the end now.

6 MR. BRUNTRAGER: Of the depo now, or of things  
7 generally?

8 MR. SCHOCK: We're just warming up on things  
9 generally.

10 MR. SWANSON: Good times.

11 Q (By Mr. Schock) Do you remember that there  
12 was a -- Go ahead.

13 MR. SWANSON: No, I was joking with her.

14 Q (By Mr. Schock) Okay. There's -- There was a  
15 hearing before the first trial on the question of  
16 whether the insurance policy beneficiary change would  
17 come into evidence.

18 Do you remember that hearing?

19 A I do.

20 Q Okay. Did you take the position that it  
21 should not come in? To evidence at the trial.

22 A That what should not come in?

23 Q The beneficiary change from -- of the policy,  
24 the State Farm policy, from Russ to Pam Hupp?

25 A As I recall, the assistant attorney general



Page 129

1 argued the state's position on that motion hearing, and  
2 the position of the state was that a change of  
3 beneficiary is hearsay, and that in the event the court  
4 wanted to allow that in, they needed to allow in the  
5 other evidence with regard to her life insurance  
6 policies.

7 And the other hearsay evidence, which would be  
8 statements from the deceased to other people regarding  
9 changing of her policies, that if they were going to argue  
10 that it's motive for Pam Hupp, then it had to also be  
11 motive for Russ Faria, and that if that hearsay document  
12 was allowed, the rest of the hearsay should be allowed.

13 That was the state's position, so I believe it  
14 was argued by assistant attorney general.

15 Q But you were responsible for the state's  
16 position; right?

17 A We were dually responsible.

18 Q Were you leading the prosecution, or was Mr.  
19 -- What was his name? Hicks, Richard Hicks?

20 A Hicks.

21 Q Was he leading the prosecution, or were you?

22 A I think it was a dual effort. I mean,  
23 obviously, the murder occurred in Lincoln County, but I  
24 requested, through the governor's office, the assistance  
25 of the attorney general.

Page 130

1 Q And that's routine; right? I mean, a lot of  
2 prosecutors do that on a big case; right?

3 A I don't know if they do, or they don't. I  
4 just knew that I needed someone with more experience  
5 than I had --

6 Q Right.

7 A -- to assist in that case. And so the  
8 attorney general, the governor approved it and the  
9 attorney general's office sent down several individuals  
10 at different times to review it, and assign themselves  
11 to the case, and then ultimately, they were with me  
12 through every process throughout the case, including  
13 trial.

14 Q Okay. Did you ever tell Mr. Schwartz that if  
15 the judge rules that the beneficiary change was coming  
16 in, you would drop the case against Faria and not to go  
17 to trial?

18 A No.

19 Q Did you ever say to Joel Schwartz -- Well, did  
20 you make such a statement to anybody?

21 I asked you about Joel Schwartz. Did you make  
22 the statement, like I just said, to anybody?

23 MR. HEIGELE: Could you please restate the  
24 statement that you're attributing?

25 Q (By Mr. Schock) Sure. That if the judge

Page 131

1 ruled the insurance beneficiary change to Pam Hupp would  
2 come into evidence, that you would drop the case; did  
3 you ever say that?

4 A No.

5 Q Did you ever say to anybody that dropping the  
6 case would present problems for you politically?

7 A No. I actually encouraged the family to drop  
8 the case and allow me to drop the case, and be  
9 supportive of that before the first trial.

10 Q So let's go into that a little bit. So you  
11 asked the family to drop the case?

12 A I told the family that I thought the case  
13 would be stronger down the road when more technology  
14 improved, and maybe there were more evidence gathered; I  
15 thought it would be a stronger case later.

16 I didn't think it was a case that was winnable.

17 Q So before the first trial you did not think  
18 the case was winnable?

19 A I thought that there -- that it would be  
20 difficult, it would be a difficult swing.

21 Q Who did you tell that to exactly?

22 A I don't remember.

23 Q The girls, Leah and Mariah?

24 A I don't remember if it was Betsy's mom, or her  
25 sisters, or maybe all of them. I don't remember.

Page 132

1 Q They all were convinced Russ had done it;  
2 right?

3 A Correct. We all were, yes. And I think they  
4 asked me a question like, do you think you can win it,  
5 do you think you're going to win it?

6 And I was honest with them.

7 Q Let's go into this issue of the trust fund for  
8 the insurance proceeds.

9 Do you remember that issue, first trial?

10 A Specifically, what are you talking about?

11 Q Let's go over the details. So Pam Hupp  
12 testified in the first trial; right?

13 A I believe so, yes.

14 Q And she testified that she had put the money  
15 from the insurance, from State Farm, it was \$150,000.00;  
16 right?

17 A I don't remember what she testified to,  
18 frankly, but I know that at some point she said that she  
19 put money into a trust.

20 Q Okay. Did you have any knowledge of officers  
21 suggesting to Miss Hupp that she make that -- that she  
22 put that money into a trust fund?

23 A No.

24 Q If you elicited testimony about whether it was  
25 in a trust fund, how did you know that that was a fact?

Page 133

Page 135

1 A I believe Pam Hupp was Richard Hick's witness,  
2 so he would have had any meetings with her prior to  
3 trial.

4 Q You didn't know before the trial anything  
5 about the trust fund issue?

6 A I'm sure he and I discussed it, but he would  
7 have been the one meeting with her ahead of trial to  
8 talk about his questions, and, you know, how to answer  
9 questions, and where to go, and all those things.

10 Q Yeah. Did the second trial, do you believe  
11 that her credibility as a witness had been destroyed  
12 before the second trial, by her statements about him  
13 seeing Russ Faria hiding in his car, and all that?

14 A I don't know that I thought her credibility  
15 had been destroyed. I thought she had issues.

16 Q What issues did she have?

17 A A lot of them. She was just kind of all over  
18 the place.

19 Q Right.

20 A It was like she was hard to track.

21 Q I mean, she said in reference in -- she told  
22 law enforcement before the second trial that she had  
23 some kind of a memory recovery, and that she'd seen Russ  
24 Faria hiding in the Nissan at the location of the murder  
25 when she got there with Betsy a little after 7:00 on the

1 Q Did you have help from the AG in the second  
2 trial?

3 A No.

4 Q You had access to some conversations between  
5 Mr. Faria and his counsel which were recorded by the  
6 jail; is that right?

7 A No, not the jail.

8 Q Did you have access to any conversations  
9 between Russ Faria and his defense counsel?

10 A At what period?

11 Q At any period, any recorded statements.

12 A We had access to any of the call logs that  
13 happened while he was in the department of corrections.

14 Q Right. And in fact, those calls were  
15 recorded; right?

16 A Sure. I mean, they specifically say that over  
17 and over.

18 Q Right. And you listened to those calls; is  
19 that right?

20 A Some of them I did.

21 Q Did you think that was improper, legally, when  
22 you were listening to the calls between a criminal  
23 defendant and his counsel?

24 A No.

25 Q Because?

Page 134

Page 136

1 27th of December; right?

2 A I remember that she said something about  
3 seeing a car in the area with two men in it, but I don't  
4 remember specifically who she said was in it.

5 Q And she'd never said anything about that  
6 before; right?

7 A That's correct. That's my understanding.

8 Q Did you consider that to damage her  
9 credibility?

10 A Not to the point of -- not, not being able to  
11 be rehabilitated.

12 Q You said she was sort of all over the place,  
13 if I remember your testimony correctly a moment ago?

14 A Correct.

15 Q Tell me what issues, on what issues she was  
16 all over the place.

17 A I don't remember specific issues. I just  
18 remember that she was the type of person that she would  
19 only answer the question that was asked. And so if you  
20 didn't follow up the question, or ask for more detail,  
21 she likely wouldn't give it to you.

22 So it didn't necessarily mean that she was  
23 inconsistent, she just answered questions in a way that  
24 was difficult for me, because you never really knew which  
25 direction it was going to go.

1 A Well, because there was -- It was said on the  
2 calls, this is a recorded line, these calls are  
3 recorded. There wasn't any request, it wasn't on an  
4 attorney line to have a private call, it was on the  
5 public line in the department of corrections that puts  
6 everyone on notice that if you think you have a  
7 privilege, you really don't, because these calls are  
8 being recorded.

9 Q Are you familiar with what's called the  
10 Third-Party Doctrine, which relates to a situation where  
11 the party has no other choice but to talk to their  
12 lawyer over a phone?

13 A I'm familiar with that.

14 Q Did you think that applied in this case?

15 A No.

16 Q Why not?

17 A Because the department of corrections has the  
18 ability for lawyers to call on a private line, and they  
19 chose not to.

20 Q Okay. Did you tell defense counsel,  
21 Mr. Swanson and Mr. Schwartz, that you were listening to  
22 their client's phone calls with him?

23 A I didn't listen to the calls until much later.

24 Q When you did listen to the calls, did you tell  
25 them that you were listening to the calls between

Page 137

1 defendant and their counsel?  
 2 A We provided them with the calls.  
 3 Q Did you tell them that you had listened to  
 4 them?  
 5 MR. HEIGELE: Asked and answered.  
 6 MR. SCHOCK: No, she hasn't answered it.  
 7 A Did I call them up myself --  
 8 Q Yes.  
 9 A -- and say I've been listening to these calls?  
 10 Q Yes.  
 11 A No. But that's because I didn't listen to  
 12 them until right before the trial. My staff had been  
 13 listening, and I told them they needed to put them  
 14 together and send them out.  
 15 I didn't have time to listen to them. I started  
 16 listening to them just before the second trial.  
 17 Q Okay. When you see the probable cause  
 18 statement, did you look at the pictures of the  
 19 luminescence test yourself?  
 20 MR. HEIGELE: Objection. She did not issue  
 21 the probable cause statement. It's argumentative.  
 22 Q (By Mr. Schock) I'm sorry. When you issued  
 23 the charge against Russ Faria for murder, did you look  
 24 at the pictures that were made at the luminescence test?  
 25 A I didn't look at the pictures until before the

Page 138

1 second trial.  
 2 Q Do you remember whether any officers told you  
 3 at the end -- In the course of the Major Case Squad  
 4 call-out that they were convinced that, that Russ Faria  
 5 killed Betsy after he got home from game night?  
 6 MR. HEIGELE: To the extent it calls for  
 7 hearsay, I object. But you can answer.  
 8 A I don't remember that anyone during the  
 9 call-out specified when they thought he killed Betsy.  
 10 Q (By Mr. Schock) Okay.  
 11 A I know that they, the consensus was that they  
 12 believed he killed Betsy, but I don't remember them  
 13 specifically saying when they thought it had occurred.  
 14 Q When did you decide to argue to the jury in  
 15 the closing of the first trial that Russ Faria killed  
 16 Betsy earlier in the evening and the alibi witnesses  
 17 were lying?  
 18 A After Mr. Schwartz made his closing argument.  
 19 Q Do you remember a hearing on the alibi defense  
 20 and a bill of particulars?  
 21 So in other words, defense counsel gave an alibi  
 22 in response to discovery request, and then filed a bill of  
 23 particulars asking the state to state when the crime  
 24 occurred. Do you remember that hearing?  
 25 A I remember several of those hearings.

Page 139

1 Q Okay. And you argued that you should not have  
 2 to state when the crime occurred; is that right?  
 3 A I argued that I shouldn't have to narrow the  
 4 time from between 7:20 and 9:41.  
 5 Q Why did you take that position?  
 6 A Because it would be impossible to know exactly  
 7 when it occurred.  
 8 Q Don't you think defense counsel needed to know  
 9 your theory of the case under the rules?  
 10 A Well, I think the judge didn't agree with  
 11 defense counsel on any of the times, whether it was in  
 12 the first trial, or the second, any of the times defense  
 13 counsel filed requests for a bill of particulars, the  
 14 judge denied the request. So regardless of what I  
 15 thought, the judge agreed.  
 16 Q Okay. In the insurance case, you were present  
 17 for the testimony of Corbin a few days ago, yes or no?  
 18 I can't remember.  
 19 A Oh, for the Argonaut case in this?  
 20 Q Yes.  
 21 A Yes, I was present.  
 22 Q There was a document presented as an Exhibit  
 23 A, I don't remember what exhibit it was, that is related  
 24 to the -- a case, and let me -- Let's go off the record  
 25 for one second.

Page 140

1 [Whereupon, there was a discussion off the  
 2 record].  
 3 Q (By Mr. Schock) We're going back on the  
 4 record.  
 5 Ma'am, let me ask you about your law license.  
 6 Has your law license ever been disciplined?  
 7 A Yes.  
 8 Q Tell me about that, please.  
 9 A I mean, by discipline, I've had bar  
 10 complaints.  
 11 Q I don't care about the complaints. I care  
 12 about the outcome of the complaints.  
 13 A Okay. Yes. I'm not sure what -- I think it  
 14 was called a private admonishment.  
 15 Q Okay. And when did that occur?  
 16 A I think in 2011.  
 17 Q Did that relate to this case in any way?  
 18 A No.  
 19 Q Okay. Have you ever had any discipline, not,  
 20 not complaints, but disciplines about this case?  
 21 A No.  
 22 Q Are there complaints against you pending at  
 23 this time regarding this case?  
 24 A Complaints?  
 25 Q Correct.

Page 141

1 A Yes.

2 Q Okay. Will you do me the favor, that if those  
3 are resolved before trial, you'll tell your attorney, so  
4 we can either reopen the depo, or get -- sometimes it  
5 might be something private that we wouldn't know about,  
6 but I think I have a right to know it.

7 MR. HEIGELE: Joel Schwartz made it.

8 MR. SCHOCK: I know he did, but he might not  
9 know the outcome.

10 MR. HEIGELE: Okay.

11 Q (By Mr. Schock) Do you agree to tell your  
12 attorney if that is resolved before the trial of this  
13 case?

14 A Yes. One of them has been resolved.

15 Q Okay. I'm only interested -- Did that result  
16 in any discipline?

17 A No.

18 Q If any of them are, you will tell your  
19 attorney?

20 A Correct.

21 Q Thank you. Let me ask you this: Have you had  
22 any discussions with the U.S. Attorney, or any  
23 representatives of the U.S. Attorney, or the FBI about  
24 this case? Any aspect of it.

25 A Yes.

Page 142

1 Q Tell me about those conversations, when they  
2 happened, who they were with, and what was said?

3 A I spoke with the U.S. Attorney's Office in  
4 January, I think it was January, of 2016, after he had  
5 received a call from Joel Schwartz wanting to review the  
6 file. And so I said, sure, come on out. And I gave him  
7 my file.

8 Q Did you have any follow-up conversation?

9 A Yeah. I've talked to him whenever he's called  
10 or needed more information, or needed my secretary to  
11 send him something that maybe he didn't have initially,  
12 or --

13 Q Who is "he"?

14 A Tom Dittmeier.

15 Q And do you know if his investigation is  
16 complete?

17 A I do not know.

18 Q Do you know whether he's reached a conclusion  
19 whether to charge anybody with murder in this case?

20 A I do not know.

21 Q You agree that, due to double jeopardy, Russ  
22 Faria can no longer be prosecuted for the murder of  
23 Betsy Faria?

24 A I agree that jeopardy has attached.

25 MR. SCHOCK: All right. That concludes the

Page 143

1 first volume of the depo. It's all I have, unless you  
2 all want to ask further questions, let's do that.

3 MR. RETTER: I don't have any further questions.

4 MR. PLEBAN: No questions.

5 MR. BRETT: No questions.

6 MR. BRUNTRAGER: I have no role, other than  
7 personal counsel.

8 MR. SCHOCK: You could ask a question, though.

9 MR. BRUNTRAGER: Where is a good place for  
10 lunch?

11 MR. HEIGELE: There's a couple down the way.

12 I'll reserve questions. Then we go off?

13 MR. SCHOCK: One second. When you say you  
14 reserve questions, are you reserving questions because  
15 they might be about what we're talking about next, or  
16 because you don't want to ask her questions about what's  
17 come before?

18 I think this is your shot on what we've talked  
19 about up until now because we're going to do this other  
20 part wholly separately.

21 MR. HEIGELE: I don't have any follow-up with  
22 her.

23 MR. SCHOCK: Okay. As to what we've already  
24 done?

25 MR. HEIGELE: Yeah. I'll reserve it for

Page 144

1 trial.

2 MR. SCHOCK: Oh, okay. That's what you mean.

3 I didn't understand what you meant. Okay.

4 Okay. Let's go off the record. Concluding  
5 volume one.

6  
7 o-0-o

8 COMES NOW THE WITNESS, LEAH L. ASKEY, and having  
9 read the foregoing transcript of the deposition taken on  
10 the 23rd day of October, 2017, acknowledges by signature  
11 hereto that it is a true and accurate transcript of the  
12 testimony given on the date hereinabove mentioned.

13  
14 LEAH L. ASKEY

15 Subscribed and sworn to before me this \_\_\_\_ day  
16 of \_\_\_\_\_, 201\_\_.

17 My commission expires: \_\_\_\_\_.

18  
19  
20 Notary Public



CERTIFICATE

I, JANE M. RICH, a Certified Court Reporter,  
within and for the State of Missouri, license #411, do  
hereby certify that pursuant to notice there came before  
me in the law offices of Barklage, Brett & Hamill, 211 N.  
Third, St. Charles, Missouri,

LEAH L. ASKEY,  
who was first duly sworn to testify to the truth and  
nothing but the truth of all knowledge touching and  
concerning the matters in controversy in this cause; that  
the witness was thereupon examined, and said examination  
was reduced to writing by me and signed by the witness,  
and that this deposition is a true and accurate record of  
the testimony given by the witness.

I further certify that I am not of counsel, nor  
attorney for either of the parties to said suit, nor  
related, nor interested in any of the parties or their  
attorneys.

IN WITNESS WHEREOF, I have hereunto set my hand  
this 2nd day of November, 2017.

Jane M. Rich, CCR No. 411.

A				
<b>ability</b> 53:13 136:18	16:14 17:3 44:24 49:17 53:23 54:18	76:15,18,21 80:21 81:2 82:4 82:11,15,15 83:3	66:19 69:9 89:3 89:6,11,25	<b>attended</b> 27:6 120:25
<b>able</b> 31:16,23 108:18 134:10	60:2,13 61:24 67:14 71:12 77:13 84:22	83:5,8 89:18 102:22 106:17 123:10 130:20	<b>article</b> 78:19 <b>articulated</b> 114:25	<b>attorney</b> 2:19 8:21 10:15 11:3 12:6,16 13:4 14:10,11 37:20
<b>absent</b> 70:15	111:15 124:6,24 139:10 141:11 142:21,24	130:22 131:5 142:19	<b>aside</b> 70:20 <b>asked</b> 28:12,17 29:7 36:13 38:17 79:5	109:7 128:25 129:14,25 130:8 130:9 136:4 141:3,12,19,22 141:23 145:16
<b>absolute</b> 25:24	<b>agreed</b> 84:21 92:23 139:15	<b>anymore</b> 25:22 54:14	86:22 87:20 88:12,17 116:16 118:1 130:21	<b>attorneys</b> 9:13 11:23 12:7 13:11 14:5,12 142:3 145:18
<b>absolutely</b> 56:9 75:21 100:9	<b>agreement</b> 39:3 <b>ahead</b> 60:16 97:11 128:12 133:7	<b>anyway</b> 43:8 103:11 125:3	131:11 132:4 134:19 137:5	<b>attributed</b> 78:1 <b>attributes</b> 36:12 <b>attributing</b> 130:24
<b>abusive</b> 42:3,11	<b>al</b> 1:6 2:6	<b>apparently</b> 24:10	<b>askey</b> 1:13 2:9,25 3:3,4 4:2,8,12,22 4:23 58:24	<b>available</b> 22:25 24:1
<b>accept</b> 77:24,24	<b>alibi</b> 24:24 43:9 49:18 50:2,6 51:1,8 52:1 55:2	<b>appear</b> 81:18	78:11 118:23 144:8,14 145:7	<b>avenues</b> 33:21
<b>accepted</b> 116:5	<b>alive</b> 47:23,24 48:10 52:22,23 90:14	<b>appeared</b> 95:5 107:7 108:24 109:22	<b>asking</b> 36:24 37:20 56:21 66:11 69:25	<b>average</b> 8:3
<b>access</b> 135:4,8,12	<b>allow</b> 129:4,4 131:8	<b>application</b> 92:17 92:19 93:7,12,15	70:1,5,6 83:2 86:3 97:14,15 106:24 114:15	<b>awakened</b> 19:25
<b>accessed</b> 95:6	<b>allowed</b> 129:12,12	<b>applied</b> 105:22 117:5 136:14	116:14,17 117:5 118:3 138:23	<b>aware</b> 16:23 20:8 48:18,24 49:1,2 79:9 83:11,13 86:18,23,24 88:3 89:1,5,8 97:18 99:8,18 100:5,8 108:4
<b>accompanied</b> 95:17 103:18	<b>ambiguity</b> 32:1	<b>applies</b> 25:19	<b>aspect</b> 141:24	
<b>accurate</b> 64:11 144:11 145:13	<b>ambulance</b> 62:5 64:14 66:3,9,17 86:19	<b>apply</b> 99:25	<b>assemble</b> 57:23	
<b>accurately</b> 103:1	<b>amiss</b> 17:17	<b>applying</b> 106:2,13	<b>asserted</b> 48:18,19	
<b>acknowledges</b> 144:10	<b>amount</b> 58:4 85:10	<b>appointments</b> 16:5	<b>assign</b> 130:10	
<b>action</b> 92:14	<b>analysis</b> 120:12 124:1	<b>appreciate</b> 12:9 99:6 104:2	<b>assigned</b> 62:10,17	
<b>actual</b> 75:16	<b>announcements</b> 4:13	<b>approach</b> 112:24	<b>assigning</b> 14:24	
<b>added</b> 84:7	<b>answer</b> 12:11 107:1 110:14 126:17,18 133:8 134:19 138:7	<b>approached</b> 116:4	<b>assist</b> 130:7	
<b>additional</b> 84:2,7 110:9 117:24 118:11,13 120:18,22	<b>answered</b> 86:22 87:20 88:12 116:16 118:1 134:23 137:5,6	<b>approved</b> 130:8	<b>assistance</b> 129:24	
<b>address</b> 18:11	<b>answers</b> 73:16,19	<b>area</b> 99:24 134:3	<b>assistant</b> 128:25 129:14	
<b>administration</b> 13:16	<b>anybody</b> 8:21 25:25 26:8 28:2 45:11,19 61:3,9 65:15,17 70:10	<b>argonaut</b> 139:19	<b>associates</b> 1:23	
<b>admitted</b> 5:13		<b>argue</b> 129:9 138:14	<b>association</b> 9:12 9:12	
<b>admonishment</b> 140:14		<b>argued</b> 129:1,14 139:1,3	<b>assume</b> 7:19 41:7 127:15	
<b>advice</b> 73:8		<b>argument</b> 138:18	<b>assumed</b> 9:1,3 12:3 117:11	
<b>affect</b> 124:1		<b>argumentative</b> 87:19 88:11 112:9 113:7 114:14 121:19 126:5 127:23 137:21	<b>assumes</b> 121:19 127:24	
<b>affidavit</b> 92:21 100:2		<b>arm</b> 68:19,21,24	<b>attached</b> 142:24	
<b>affix</b> 93:13		<b>arrested</b> 77:14,16 83:18,22,25	<b>attempt</b> 82:5	
<b>afternoon</b> 23:9 27:1 35:5 70:24		<b>arrived</b> 22:20,20 61:24,25 66:16	<b>attend</b> 23:12	
<b>ag</b> 135:1				
<b>age</b> 4:3				
<b>agencies</b> 11:12				
<b>agency</b> 37:25 38:1				
<b>ago</b> 29:1 51:23 77:5 114:7,12 134:13 139:17				
<b>agree</b> 11:18 16:8				
				<b>back</b> 50:21 <b>back</b> 12:19 16:2 38:2,3 40:3 41:23 51:21 55:25 59:14,15 62:17,20 64:8,10 67:14 87:22 88:22 91:1,2 105:7 108:8 109:13 115:2 118:22 119:17 119:24 122:18 122:20,21 125:25 126:3 140:3 <b>backup</b> 122:17 <b>bad</b> 32:2 123:8

<b>bank</b> 28:14	55:6 60:21	125:21,22	<b>bring</b> 113:24	136:24,25 137:2
<b>bar</b> 5:14 140:9	61:20 64:22,24	<b>bluestar</b> 99:25	<b>brought</b> 14:10	137:9 138:6
<b>barklage</b> 2:13 3:6	92:20 111:13	110:21,22	64:10	<b>camera</b> 67:5 99:9
145:5	113:21 118:14	<b>blvd</b> 3:11	<b>bruntrager</b> 3:4	99:12,16 100:14
<b>based</b> 11:1,2	138:12	<b>bodily</b> 36:22	19:15 58:17	101:17,21 103:7
32:11 47:6 61:4	<b>bell</b> 33:16 40:15	<b>body</b> 32:10 36:12	67:9 74:14	<b>campaign</b> 8:7,15
72:19 85:5	47:13 66:25	61:24 62:6	119:19 128:6	<b>canned</b> 73:16,18
86:20 98:22	67:1,2 97:4 98:2	64:16 65:13,17	143:6,9	<b>cant</b> 7:22,24
104:5 111:16	<b>bend</b> 3:11	65:19,21 68:5,8	<b>build</b> 126:14	30:15 37:22
120:13,16 127:3	<b>beneficiary</b>	68:13,16,20,21	<b>building</b> 23:24	45:14 48:3
127:15	124:11,15	68:25 69:8	<b>burdensome</b> 16:6	49:16,17 50:21
<b>basically</b> 18:17	128:16,23 129:3	84:20 85:10	<b>business</b> 125:5	53:6,10 115:1
110:5	130:15 131:1	86:20 89:2,6,24		139:18
<b>basis</b> 14:22 16:7	<b>best</b> 11:13,15	90:10,14,19 91:9	<b>C</b>	<b>cap</b> 121:5,14
<b>beat</b> 25:23	60:17 90:15	96:18 107:8	<b>c</b> 2:13,17 3:7,10	<b>capture</b> 100:14
<b>bed</b> 19:22	123:9 126:17	120:7	4:18 111:3	103:7
<b>began</b> 29:2	<b>bet</b> 20:15	<b>bodys</b> 64:16	120:23	<b>captured</b> 96:16
<b>beginning</b> 8:8	<b>betsy</b> 29:14 32:9	<b>bonhomme</b> 2:19	<b>cabinetry</b> 108:7	<b>car</b> 81:5 133:13
39:2,3	33:25 34:7,23	<b>book</b> 74:2 119:15	<b>cabinets</b> 122:18	134:3
<b>behalf</b> 1:15 2:10	41:12 47:11,14	119:15,16,20	<b>call</b> 17:14 18:4,8	<b>care</b> 28:8,9 140:11
4:5	52:18 58:2 72:2	<b>books</b> 73:25	18:25 19:11,18	140:11
<b>belief</b> 47:3,6	82:12 84:19	<b>boss</b> 14:15,19,21	20:18 35:5	<b>careful</b> 34:16
51:15 59:13	85:16 86:11	104:19	42:25 47:11	<b>cares</b> 123:17
61:4 76:23,25	89:24 104:7	<b>bottom</b> 124:4	84:18,18 85:23	<b>carried</b> 107:12
77:1 84:9	106:17 123:1,21	<b>box</b> 1:23	85:23,24 86:21	<b>case</b> 6:14,15 9:15
107:17 111:15	124:14,24	<b>boyfriend</b> 33:13	87:18,18 109:6	15:7 20:8,11
<b>believe</b> 10:20,22	133:25 138:5,9	<b>brass</b> 114:21	135:12 136:4,18	21:9,19,23 22:23
14:6 15:11	138:12,16	<b>break</b> 58:16,23	137:7 142:5	23:8 24:18,23
16:19 20:7	142:23	104:3 118:21	<b>called</b> 17:12 18:5	25:20 26:1 29:6
33:13,20 38:15	<b>betsys</b> 131:24	<b>breaking</b> 58:21	18:22 19:5 20:6	29:11 30:4,15,22
38:17 45:12	<b>bevis</b> 2:18 4:8	118:17	20:9,14 71:4	32:13,20 33:1,5
46:4,5,7 53:12	<b>big</b> 3:11 90:12	<b>brentwood</b> 1:24	84:24 85:12	33:23 34:6,19
53:18 54:21	130:2	<b>brett</b> 2:13 3:6,6	86:2,12 91:19	37:5 39:12,12
63:23 65:6 72:1	<b>bill</b> 138:20,22	4:20,20 67:12	96:15 136:9	40:12,22 42:8
81:14,15,19,22	139:13	143:5 145:5	140:14 142:9	43:14 44:16
81:25 82:2	<b>binders</b> 43:2	<b>briefing</b> 23:25	<b>callout</b> 25:20 26:1	45:23,25 46:19
85:25 87:23	<b>bit</b> 5:3 6:4,16 11:4	24:7 29:19	29:6 30:15	50:2,14 51:11,14
88:2,12 92:6	42:1 131:10	30:23 34:6,18	32:20 35:16	52:12,17 53:2
95:21 101:14	<b>blood</b> 30:1,6	40:21 42:8	39:12,13 40:12	55:3,13,20 56:16
102:12,17	32:23 36:6 65:5	<b>briefings</b> 23:9,12	42:23 45:15,23	58:25 60:3,14,20
103:15 105:1,12	65:9 66:13,16,20	23:18 26:12,17	46:1,19 49:2,24	62:4,20,21 63:21
108:14 109:24	87:3 88:4 89:11	27:6,22 32:25	52:12,14 56:17	64:1,8 66:4,7,15
112:15 113:22	89:18 92:3	33:4,24 46:3	64:2 79:15	68:1 69:3,8 70:9
115:18 118:8,10	95:11 96:16,18	49:5 55:13,15	105:19 119:10	73:22 75:10
126:1 127:1	96:20 106:25	56:17,18,20 59:5	138:4,9	79:14,15,16,17
129:13 132:13	107:7,25 108:8	59:15,17 68:1	<b>calls</b> 36:23 45:5	82:3,4,6,11,16
133:1,10	121:14 122:10	69:3,4,5 87:2	66:10 69:23	83:3,8 85:1
<b>believed</b> 39:13	122:12,14,18	120:20,21,25	79:16 110:13	88:10 91:2 94:2
46:10 51:8 52:7	123:15 125:19	<b>briefly</b> 6:17	135:14,18,22	96:15,24 97:2
			136:2,2,7,22,23	

100:13 104:13 104:18 105:9,18 114:3,20 115:1,5 115:16,18 119:9 120:18,20 122:2 122:4 130:2,7,11 130:12,16 131:2 131:6,8,8,11,12 131:15,16,18 136:14 138:3 139:9,16,19,24 140:17,20,23 141:13,24 142:19 <b>cases</b> 6:2,11 7:20 14:24 16:5 <b>cause</b> 1:4 2:4 53:11,17,21 71:10,16 72:1,6 72:19,20 82:18 82:20 83:11,15 84:8 95:17 97:15 98:25 103:17 105:19 108:2 109:22 110:2,5 111:14 111:16,23 112:17 114:23 115:13 116:4,11 118:9,10 119:10 119:13 120:2,3 120:10,14,16 121:1 122:19,23 127:2 128:2 137:17,21 145:10 <b>ccr</b> 1:22 2:15 145:22 <b>cell</b> 1:25 76:8 78:7 79:4 <b>certain</b> 25:11 36:19 92:5 101:6 109:21 110:2 <b>certainly</b> 49:11 60:17 <b>certificate</b> 145:1 <b>certified</b> 145:2 <b>certify</b> 145:4,15	<b>chance</b> 115:22 <b>change</b> 111:10 122:22 125:6 128:16,23 129:2 130:15 131:1 <b>changes</b> 9:15 <b>changing</b> 129:9 <b>charge</b> 16:17 53:6 53:10,18 71:6,13 72:8 75:11 76:6 77:7 78:3 82:15 83:5,20,21 84:4 84:13,25 85:15 86:8,9 87:24 89:1 91:9 95:17 97:16 98:17,19 98:22 103:18,21 103:22 104:7,16 105:2,3,4,5,8 106:18 110:11 110:18,24 111:13 112:7,14 112:18,25 114:9 114:11 116:5,12 116:13 118:9,15 119:11 120:3,13 120:16 121:3 124:10 137:23 142:19 <b>charged</b> 83:16 <b>charges</b> 70:16,17 88:10 128:3 <b>charging</b> 87:14 <b>charles</b> 2:14 3:7 145:6 <b>check</b> 36:6 38:1 45:7 54:4 <b>checked</b> 30:1,6 36:15,18 54:3,7 <b>checking</b> 32:22 45:3 <b>checks</b> 36:12 <b>choice</b> 136:11 <b>chose</b> 13:18 136:19 <b>chris</b> 4:21 <b>christopher</b> 3:1 <b>cigarettes</b> 45:21 <b>circumstances</b>	17:23,24 <b>city</b> 3:2 9:10 <b>civil</b> 6:15 <b>class</b> 10:14 <b>classes</b> 8:21 <b>clayton</b> 2:20 <b>clean</b> 108:24 109:10,11 123:13 <b>cleaned</b> 109:10 <b>cleaning</b> 97:3 <b>cleanup</b> 92:3,3 95:1,4 96:6,7,25 97:2 122:7 <b>clear</b> 25:24 31:2 31:25 32:1 104:3 <b>cleared</b> 31:10,16 31:23 <b>clearing</b> 32:5,6 <b>client</b> 107:6 123:18 126:19 <b>clients</b> 136:22 <b>close</b> 52:24 62:1 <b>closely</b> 43:16 <b>closing</b> 138:15,18 <b>clothes</b> 96:20 121:14 <b>clothing</b> 107:22 107:22 122:13 <b>coagulant</b> 88:7 <b>coagulated</b> 66:24 89:15,16 <b>coats</b> 90:13 <b>cocounsel</b> 2:21 <b>coherent</b> 113:11 <b>cold</b> 65:18 90:8 <b>colder</b> 65:19 <b>collection</b> 6:20 <b>collective</b> 58:25 <b>college</b> 5:4 <b>column</b> 75:25 119:17 <b>com</b> 74:21 <b>come</b> 22:25 24:2 30:18 43:4 55:25 67:6 81:3 97:20 114:19 128:17,21,22	131:2 142:6 143:17 <b>comes</b> 14:22 114:21 144:8 <b>coming</b> 57:16 114:8 130:15 <b>commander</b> 23:8 31:6 56:21 80:8 104:12 <b>comments</b> 29:21 29:24 41:12 <b>commission</b> 11:13 144:17 <b>commit</b> 54:20,22 58:13 63:24 <b>committed</b> 33:24 39:15 53:3,17,18 54:9 63:12 87:14 113:20,21 <b>common</b> 114:7 <b>communicated</b> 101:1 <b>communicating</b> 27:24 <b>communications</b> 98:23 <b>community</b> 11:6 11:10 <b>compared</b> 64:22 <b>comparing</b> 65:20 <b>competently</b> 64:10 <b>complaints</b> 140:10,11,12,20 140:22,24 <b>complete</b> 125:6 142:16 <b>completely</b> 28:22 28:23 76:24 90:19 <b>complicated</b> 54:25 <b>computer</b> 38:7,7,8 38:14 <b>computers</b> 38:21 45:5 <b>concensus</b> 55:12 <b>concern</b> 96:5 121:16 123:4,18	<b>concerning</b> 145:10 <b>concluded</b> 35:19 96:25 <b>concludes</b> 142:25 <b>concluding</b> 144:4 <b>conclusion</b> 16:16 51:10 63:12 89:23 119:9 127:18 142:18 <b>conclusions</b> 58:8 64:6 <b>condition</b> 61:23 62:5 64:16 66:13,15 88:4 89:10 91:8 97:10 <b>conduct</b> 25:16 92:14 <b>conducted</b> 100:24 108:5 <b>conducting</b> 31:20 <b>conference</b> 2:12 79:11,16 80:6 <b>conferences</b> 9:13 <b>confident</b> 24:12 <b>conflicting</b> 64:20 64:25 <b>confusion</b> 65:8 <b>connecting</b> 114:22 <b>connection</b> 21:4 93:12 96:24 <b>consensus</b> 24:13 51:11,14 67:14 138:11 <b>consider</b> 15:12 90:2 120:3 121:16 134:8 <b>considered</b> 121:2 <b>considering</b> 33:5 33:8 <b>consistent</b> 23:7 24:19 53:8,14 <b>contact</b> 18:3 20:2 <b>contained</b> 100:25 <b>contaminate</b> 32:7 <b>contents</b> 81:16 98:12
---	--	---	--	---



<b>contested</b> 12:4,20 12:24	<b>coronado</b> 3:1	<b>correctly</b> 20:18 96:13 134:13	12:7	<b>deceased</b> 69:9 129:8
<b>context</b> 57:1 77:12 80:12 81:2 88:10	<b>correct</b> 5:9 6:25 7:3,12,21 8:14 10:6 12:12,15 13:8 15:3 17:4 17:21 19:6 20:1 20:9,10,24 21:3 21:18,23,24 23:17 24:5,16 26:21 27:8 32:5 39:8,10 40:19 41:19 44:21 45:6 47:9 48:6,9 48:12,17 49:3,4 50:4 51:17 52:19 53:1,5,15 53:15 54:6,13,15 54:17 55:21 56:2,5,11 57:18 57:21,23 59:13 60:5,12 63:10 64:11,12 66:4,5 68:15,17,18 73:1 73:4,7 78:5 79:23 83:17,19 85:3 86:17 92:24 93:5 95:13 96:21 97:3,19 98:7,24 99:2,4,10 100:7 101:11,18 104:15,22 105:14 106:4,6 107:23 109:20 110:8,25 111:6 114:4 115:7,10 116:2,10 117:1,9 117:15,16 121:12 122:15 124:17 125:20 126:22,24 127:19 132:3 134:7,14 140:25 141:20	<b>couldnt</b> 31:21 49:14 <b>counsel</b> 3:4 39:4 100:17,22 135:5 135:9,23 136:20 137:1 138:21 139:8,11,13 143:7 145:15 <b>counsels</b> 101:13 <b>counted</b> 10:3 <b>county</b> 3:5 4:20 11:12,13,15 16:7 16:24 63:9 76:5 76:9 105:13 129:23 <b>couple</b> 6:10 10:2 81:13 143:11 <b>course</b> 18:10 34:22 48:20 53:23 78:16 84:25 105:18 127:7 138:3 <b>court</b> 1:1,23 2:1 11:19 24:1 30:22 39:6 129:3 145:2 <b>cover</b> 68:5 <b>covered</b> 27:3 <b>crazy</b> 72:4 <b>created</b> 124:23 <b>credibility</b> 59:24 60:1,15 133:11 133:14 134:9 <b>crime</b> 7:19 30:11 30:19,23,24 31:9 31:10,16,22 46:21 53:16,18 53:19,25 87:15 87:25 138:23 139:2 <b>criminal</b> 6:5 7:20 124:6 135:22 <b>criminalist</b> 108:18 108:20,21 <b>csi</b> 119:2 <b>curious</b> 10:8 <b>currently</b> 11:25	<b>custody</b> 34:10,13 69:18 70:19,19 <b>customary</b> 56:6  <b>D</b> <b>d</b> 3:6 121:4,6 <b>daily</b> 14:22 <b>damage</b> 134:8 <b>dark</b> 80:14,20 <b>data</b> 35:23 36:4,5 38:22,24,24 39:19,23 <b>date</b> 16:25 17:3 104:25 127:15 144:12 <b>dated</b> 74:21 <b>dates</b> 118:12 <b>daughter</b> 33:12 84:23 85:24 86:11 87:18 <b>daughters</b> 33:11 <b>day</b> 2:10,12 21:16 22:23 23:1,18,23 24:6 25:4,11,12 25:13,14 26:22 30:13,16 34:11 34:14 43:10,17 44:22 45:2,17 51:1 71:19,20 79:12,13,13 80:17 83:22,24 83:25 84:5 144:10,15 145:20 <b>days</b> 9:22,24 10:2 10:3 25:20 26:9 44:8 52:15 81:13 111:7,20 116:3 139:17 <b>daytime</b> 27:2 <b>dead</b> 52:24 64:17 68:20 84:20 85:10 86:20 89:24 90:15,16 <b>death</b> 17:8,9,13 17:16,18,22 24:9 68:13,16 95:8,10 95:12 <b>debt</b> 6:20	<b>december</b> 17:2 44:6,7,17 61:17 74:22 80:1,17 134:1 <b>deception</b> 126:23 126:25 <b>decide</b> 57:11 138:14 <b>decided</b> 8:12 73:5 102:18 120:2 <b>decision</b> 30:24 35:10 69:22 71:12 93:1,13 94:18,20 98:16 98:22 112:13 120:12,15 <b>decisions</b> 97:16 <b>declined</b> 72:7 <b>defendant</b> 2:22,25 3:5,9 4:21 16:16 135:23 137:1 <b>defendants</b> 1:7 2:7 4:16 <b>defense</b> 37:20 39:4 100:17,21 101:13 135:9 136:20 138:19 138:21 139:8,11 139:12 <b>definitely</b> 52:7 <b>delivered</b> 101:12 <b>democrat</b> 12:25 <b>democrats</b> 13:1,2 <b>denied</b> 139:14 <b>deny</b> 78:4 <b>department</b> 70:9 135:13 136:5,17 <b>depending</b> 15:6,7 44:1 <b>depo</b> 24:15 65:2 128:6 141:4 143:1 <b>deposes</b> 4:5 <b>deposition</b> 1:13 2:9 12:15 23:3 51:7,23 59:9,10 59:12 70:21

144:9 145:13 <b>deputies</b> 62:16 <b>deputy</b> 19:12 <b>derriere</b> 29:13 106:17 <b>designated</b> 105:9 <b>destroyed</b> 133:11 133:15 <b>detail</b> 134:20 <b>details</b> 41:11 87:13 120:4 132:11 <b>detective</b> 51:15 128:1 <b>determine</b> 57:4 58:2,6 92:2 <b>determined</b> 58:1 <b>didnt</b> 6:22 13:21 13:24 23:23 24:8 25:12 27:24 31:21 34:11,13 35:9 38:11 54:20,22 55:18 58:13 60:25 85:1,8,13 85:19 88:24 90:2,3,4,13,20 91:10,14 92:12 97:1 98:9 111:24 112:5 117:4 118:8 119:6 120:9 121:14 122:16 123:18 124:13 126:4 127:7 131:16 133:4 134:20,22 136:23 137:11 137:15,25 139:10 142:11 144:3 <b>die</b> 125:2 <b>diego</b> 5:5 <b>dies</b> 17:19 18:9 <b>different</b> 16:5 26:5 28:13 33:21 37:24,25 57:12 66:14 79:24 87:10	98:6 99:21 103:6 114:9 130:10 <b>difficult</b> 131:20 131:20 134:24 <b>difficults</b> 108:23 <b>diligent</b> 112:6 <b>diluent</b> 126:7,8 <b>diluents</b> 108:25 109:2,4,5,6,8 126:6 <b>direct</b> 4:6 26:2 <b>directed</b> 90:23 <b>directing</b> 119:2 <b>direction</b> 57:12 61:13 134:25 <b>directives</b> 25:15 25:17,25 26:7 <b>directly</b> 93:23 <b>dirty</b> 97:10 122:7 <b>disagree</b> 81:16 124:25 <b>disappear</b> 126:4 <b>disband</b> 104:18 <b>discipline</b> 140:9 140:19 141:16 <b>disciplined</b> 140:6 <b>disciplines</b> 140:20 <b>disclosures</b> 74:9 <b>discovery</b> 100:22 138:22 <b>discuss</b> 57:6 60:14 60:17 70:8,8 106:16 <b>discussed</b> 37:10 37:12 49:11 69:10 111:4 133:6 <b>discussing</b> 58:25 <b>discussion</b> 29:12 33:23 34:5,8 43:11 49:8 50:13 52:10 56:25 57:13,14 59:19,21,24,25 61:12 95:18 140:1 <b>discussions</b> 32:19 32:22 34:21	46:20 50:25 51:3 52:12 56:16,19 57:22 59:16 61:16,18 61:22 62:3 71:3 82:18 88:9 93:11,14 141:22 <b>disjointed</b> 118:25 <b>disk</b> 102:17,18 <b>disks</b> 101:1 <b>dismissed</b> 16:17 <b>dispatch</b> 17:14 19:8,13 <b>dispositive</b> 39:14 <b>disputed</b> 70:18 <b>dissipated</b> 122:19 <b>distinction</b> 16:12 <b>district</b> 1:1,1 2:1,1 <b>dittmeier</b> 142:14 <b>division</b> 1:2 2:2 <b>dna</b> 76:7 78:6,20 78:22 107:24,25 113:24 <b>docket</b> 21:15 <b>doctrine</b> 136:10 <b>document</b> 73:24 74:19 75:10,16 77:20,21 78:10 92:25 112:20 129:11 139:22 <b>doesnt</b> 32:7 77:15 77:21 78:11,12 81:18 112:18 118:4 124:2 126:15 <b>dog</b> 29:13 45:21 48:15 107:5,6,10 120:6 123:14 125:14 <b>dogs</b> 30:1,5 119:3 <b>doing</b> 16:13 24:1 31:24 56:12 106:15 127:12 <b>dollar</b> 11:7,14 <b>domestic</b> 6:7 <b>dont</b> 7:15 9:23 10:2,10,13 12:2 13:24,25 14:16 17:12 18:2,18	19:1,5,11,11,12 20:4,5,7,14 21:7 21:13,15,16 22:3 22:6,12,19,21,21 23:22 24:8 25:8 25:11,13,22 26:15,17,18,24 27:1,3,6,13,16 27:16,21 28:6,8 28:11,23 29:5,6 29:23 30:9,20 31:1,5,5,13 32:17 33:3,17 34:8,14,14 35:3 35:15 36:9,18 37:1,23 38:10,23 39:1,16,24 40:11 41:21 42:7,10,19 43:13 44:12,14 45:1,18,18 46:7 46:14,18 49:21 50:11,17,25 51:3 51:5 52:5,13 55:14,17 57:8 58:9,9,11,15 59:25 60:24 61:1,9,15 62:15 65:3,14,20 66:12 66:18,22 68:2,4 68:22 69:5,10,11 69:19 70:12 71:1,1,2,9,15 72:3,11,12,21,23 73:15 74:20 77:4,9,24 79:14 79:17 80:19,23 81:14,19 82:2,13 82:14 83:24 84:6 87:21 89:16 91:5,10 92:1,6,6 93:14 93:18 94:7 95:2 95:9,15 97:8,12 97:24 98:4 99:13,19,21,23 99:24 100:3,4 101:19 102:1,9 106:1,23 107:14 108:10,22	109:13 110:23 111:11 112:4,11 112:19 115:8,10 115:12 116:8,19 117:17,19,22 118:5,7,13 119:12,13 120:22 122:4,20 122:22 123:10 123:11,12,13,14 125:14 126:1 127:9 130:3,3 131:22,24,25 132:17 133:14 134:3,17 136:7 138:8,12 139:8 139:23 140:11 143:3,16,21 <b>doors</b> 90:8 <b>double</b> 142:21 <b>doubt</b> 38:16 44:12 <b>draw</b> 16:12 58:8 <b>drawer</b> 93:24,24 94:8,10,14,15,25 95:1,6,6 125:19 <b>drawers</b> 94:11,12 <b>drive</b> 16:24 <b>drop</b> 21:1 93:16 130:16 131:2,7,8 131:11 <b>dropping</b> 131:5 <b>dry</b> 66:23 <b>dual</b> 129:22 <b>dually</b> 129:17 <b>due</b> 142:21 <b>duly</b> 4:3 145:8 <b>duties</b> 10:22,23 21:17 <b>duty</b> 10:21 87:13 87:23
<b>E</b>				
e 2:17,17 122:24 124:3,4 <b>earlier</b> 111:20 138:16 <b>earliest</b> 84:17 <b>early</b> 15:4 24:18 40:5 80:16 <b>easier</b> 113:2				

eastern 1:1,2 2:1 2:2 edited 67:18 educate 11:9 effect 37:22 73:20 75:19 76:12,15 76:18,21 86:25 effort 129:22 eight 2:11 48:5 either 8:6 17:13 30:14 38:24 60:24 61:15 66:6 72:12 115:25 121:9 141:4 145:16 elected 6:1 7:1 8:5 9:8,21 101:2 election 8:8,20,25 12:4,19,20 elective 9:9 electives 9:20 elements 114:22 eleven 7:5 elicited 101:16,19 132:24 elizabeth 122:25 122:25 123:1 elses 123:15 employer 45:4,5 encourage 92:9 92:14 encouraged 131:7 ended 104:20 105:19 enforcement 11:11 17:14 22:10 24:13 25:15,18 26:1,9 27:15 34:21 46:21 64:23 71:4 73:8 76:19 83:9 84:2 91:1,6 92:10,14 93:11 93:20 96:23 99:1 106:18 112:13,23 114:8 114:19 133:22 enforcements 127:18	engaged 45:8 ensure 11:9 entered 19:15 entry 120:4 especially 126:6 essence 56:12 essentially 18:18 20:22 established 43:18 49:23 59:3 111:1 et 1:6 2:6 evaluation 113:12 eve 105:1 evening 2:12 17:1 17:10 18:19 20:11 27:1 59:22 80:17 138:16 event 48:22 81:1 101:25 114:8 129:3 evidence 47:4 53:9,14,15 71:24 72:23,25 73:21 82:6,12,14 83:4 83:5 84:2 85:2,5 88:6 92:2 96:5 100:1,1,23 101:2 102:18 110:10 110:16,19 111:9 111:16,19 112:3 112:7,7,11,13 114:11 116:14 117:19,24 120:1 120:9 121:20 122:6 127:21,22 127:24 128:17 128:21 129:5,7 131:2,14 evolved 17:25 evolving 15:6 ex 33:15 exact 14:7 26:18 exactly 17:12 19:13 23:20 37:23 66:22 114:6 126:2 131:21 139:6	examination 4:6 145:11 examine 112:6 examined 37:5 120:1 145:11 examiner 36:3,21 37:5,16 127:8 example 14:25 27:14 50:25 68:19 113:25 exclude 58:13 excuse 26:4,4 86:19 exhibit 139:22,23 exhusband 33:13 54:5 58:14 exist 38:13 existed 126:16 expected 16:9 125:4 experience 11:3,3 15:17 113:5,8 130:4 expires 144:17 explain 108:18 explaining 36:9 explanation 38:20 extensively 65:1 extent 26:13 43:7 75:15 86:13 98:20 138:6 extinguished 70:15 extra 112:21 extreme 126:23 126:25 eyes 100:15 103:8	123:25 132:25 135:14 facts 121:20 127:24 failed 38:21,23 39:1 fair 12:17,18 20:15 26:18,19 28:19 33:22 39:25 41:8 43:9 44:15 46:15 47:22 49:12 71:17,18 81:21 85:14,17 98:20 103:11 111:18 118:16 121:1,2 127:1,20 false 5:2 familiar 55:19 64:2,5 136:9,13 family 131:7,11 131:12 far 10:25 13:15 faria 1:3 2:3 4:14 25:4,10 28:19 29:13,14 33:25 34:7,10,20 35:6 35:20 37:6 41:12 42:3 44:11 48:14,18 49:13,22 51:8 52:2,4,11,18,20 53:3 55:7 58:2 59:5,17 60:21 61:6 69:14,17 70:10 71:6,25 72:1,2 77:8,17 77:22 78:12 80:1,2 82:12 83:5,16 84:24 85:6,12,16,16 86:12 89:24 93:23 94:14,24 98:22 104:8 106:17 107:12 110:11,17,20 112:8 116:1 123:5,10,20,21 124:14,24	126:24 129:11 130:16 133:13 133:24 135:5,9 137:23 138:4,15 142:22,23 farias 32:9 34:23 35:2 43:11 44:16 59:1 61:16 80:13 82:5,9,10 84:3 96:2 farm 128:24 132:15 fasttrack 79:9 81:22 82:1 fasttracked 79:8 fasttracking 76:7 78:6,20,22 favor 114:11 141:2 fbi 141:23 feel 14:8 field 5:16 figure 60:9 figured 12:10 118:19 file 71:6 72:8 83:21 120:15 142:6,7 filed 70:17 83:24 83:25 84:5 86:7 86:9 105:4 106:18 124:10 138:22 139:13 filing 70:15 88:10 110:11 119:10 finally 103:9 find 24:9 57:23 fine 19:4 22:22 67:18 78:15 88:15 126:20 128:4 fingerprint 76:7 78:7 79:1 fingers 90:11 finish 78:8 122:16 finished 32:3 57:9 fire 62:5 64:14 66:8,16 86:19
---	--	--	---	---

<b>firemen</b> 66:3	<b>followed</b> 51:4	<b>further</b> 20:16	32:20,23 90:13	47:1,12
<b>firm</b> 2:23 3:1,6,10	<b>following</b> 125:9	82:6,11 143:2,3	<b>go</b> 4:24 8:20 11:17	<b>governor</b> 130:8
<b>first</b> 4:3 7:14,17	<b>follows</b> 4:5	145:15	12:19 16:2,22	<b>governors</b> 129:24
9:4,7,17 10:21	<b>followup</b> 142:8	<b>G</b>	17:9 19:22	<b>grab</b> 119:16
12:1,3,4 16:23	143:21	<b>g</b> 13:10 125:8,14	20:20 24:7	<b>grew</b> 28:15
17:6,7,8 21:15	<b>food</b> 45:21 48:15	126:4,10	29:10 30:24	<b>group</b> 57:1
24:6 25:10,12,14	120:6	<b>gain</b> 22:8	31:2,3,4,7,9,10	<b>guess</b> 27:18 38:9
26:9 30:10,16	<b>footage</b> 46:8	<b>gained</b> 42:20	31:15,21,23 40:2	59:3 60:6 88:13
34:11,14,24	<b>forearm</b> 90:11	<b>game</b> 48:22 49:13	43:9 48:15	<b>guessing</b> 8:3
37:14,17 38:25	<b>foregoing</b> 144:9	60:11 138:5	51:21 53:20,22	<b>guilt</b> 78:13
40:3,9 43:10	<b>forenoon</b> 2:11	<b>gas</b> 28:13 45:22	55:24 56:7	<b>guilty</b> 16:16 63:24
44:8 50:25	<b>forensic</b> 53:8	46:13 48:15	57:12 58:18,22	<b>gumpenberger</b>
61:23 62:4,16	<b>forensics</b> 108:7	<b>gather</b> 58:3,7 60:3	59:14,15 60:16	124:1
63:5,7 64:2,14	<b>forget</b> 12:14	73:21 82:5 83:4	73:25 75:25	<b>gundy</b> 15:22
65:13 66:8,16,19	<b>forgot</b> 67:4	100:1 112:11	81:5 87:22	<b>guy</b> 6:18 21:22
67:23 68:24	<b>form</b> 84:9,13 85:4	<b>gathered</b> 61:5	90:23 97:11	35:20 54:11
69:7 73:25	85:5 113:11	84:2,7 96:6	99:24 101:2	127:11,14
75:20 76:2	<b>formal</b> 36:21	110:10,16,19,20	105:7 113:23	<b>guys</b> 32:2
77:19 82:18,19	79:11 81:1	111:9,12,25	118:20,24	<b>H</b>
84:20 86:18	<b>formally</b> 70:19	131:14	119:18 125:8	<b>h</b> 126:20
87:3 88:4,4,16	<b>formulate</b> 86:3	<b>gathering</b> 60:8	126:10 128:12	<b>hadnt</b> 116:15
89:2,5,9,25	<b>fortyfive</b> 74:14	82:11	130:16 131:10	117:4,14,21
90:10,21 91:4	<b>found</b> 56:1 57:4	<b>general</b> 8:21	132:7,11 133:9	<b>half</b> 85:11,11
100:16 101:4,10	63:23 84:20	12:22 87:15,17	134:25 139:24	<b>hamill</b> 2:13 3:7
101:16 104:11	97:3 121:10,11	128:25 129:14	143:12 144:4	145:5
105:3 111:3	121:17	129:25 130:8	<b>goal</b> 58:10,10 92:2	<b>hand</b> 145:19
127:21 128:15	<b>four</b> 12:6,7 25:19	<b>generally</b> 128:7,9	<b>goes</b> 75:6 125:14	<b>handdelivered</b>
131:9,17 132:9	26:9 44:8 52:15	<b>generals</b> 130:9	<b>going</b> 5:1 18:5	101:14
132:12 138:15	69:16 92:20	<b>geographically</b>	20:12 23:25	<b>handle</b> 16:6 57:25
139:12 143:1	100:21 104:11	28:16	24:4 27:4 30:23	<b>handled</b> 6:2
145:8	112:16	<b>george</b> 15:22	33:10 46:20	<b>hang</b> 73:23
<b>firsthand</b> 90:24	<b>fourday</b> 42:23,24	<b>getting</b> 5:10 16:13	54:8 57:19	<b>hanley</b> 2:24
<b>fit</b> 57:1	<b>fourteen</b> 74:14	20:18,21 22:20	58:20 67:12	<b>happen</b> 22:15
<b>five</b> 8:3 11:25	<b>frame</b> 83:2,14	79:8 112:24	70:10 72:5	23:1 108:19,19
12:8 13:23	87:15,17 88:9	114:9 128:4	73:23,25 75:11	<b>happened</b> 7:10
44:25 45:2,9,17	123:9	<b>giggling</b> 67:15	78:8,9 83:1	13:15 17:1 21:4
62:2 63:1 74:12	<b>frames</b> 104:4	<b>girls</b> 131:23	99:12 100:3	56:7 60:8 63:6
119:17	109:14	<b>give</b> 9:25 16:25	102:20 103:24	63:17 94:9
<b>flew</b> 107:10	<b>framing</b> 123:5,9	26:7,8 62:2 73:8	104:3 106:15	113:13,17
<b>floor</b> 96:16 97:7	123:10,19	100:2 115:22	117:18 118:23	135:13 142:2
97:10 108:8	<b>franchise</b> 6:19	123:14 134:21	125:2,18 127:11	<b>happening</b> 95:24
122:18 123:13	<b>frankly</b> 132:18	<b>given</b> 8:21 57:12	129:9 132:5	<b>hard</b> 133:20
<b>florida</b> 33:14	<b>friends</b> 48:22	100:17,22 101:2	134:25 140:3	<b>harder</b> 115:3
53:25 54:1	49:14,24	113:10 117:20	143:19	<b>harney</b> 4:17
58:14	<b>front</b> 73:24	117:21 144:12	<b>good</b> 11:6,14 17:9	<b>hasnt</b> 137:6
<b>focusing</b> 121:13	<b>full</b> 76:2	145:14	43:15 128:10	<b>havent</b> 112:21
<b>follow</b> 11:19	<b>function</b> 8:9	<b>giving</b> 18:19,20	143:9	114:25
16:20 55:18	<b>fund</b> 132:7,22,25	112:17	<b>gosh</b> 61:13	<b>head</b> 21:22
134:20	133:5	<b>gloves</b> 32:9,15,17	<b>gotten</b> 38:24 43:2	<b>headed</b> 17:15



<b>headquarters</b> 34:19	<b>held</b> 10:15	106:25 107:9	97:14,15,22	57:10,23 58:4,6
<b>heads up</b> 18:19,20	<b>hell</b> 12:16	113:19,22,23	99:23 101:6	58:7 60:4,9 61:4
<b>hear</b> 24:2	<b>hellmich</b> 2:24	120:4,5 123:14	102:24 106:20	62:17 72:19
<b>heard</b> 15:8 41:20	<b>help</b> 16:25 51:20	<b>hundred</b> 25:23	109:3 110:2	84:7 89:22
41:21 88:3 94:2	85:18 117:23	<b>hundreds</b> 33:9	114:15 116:14	90:20,24 100:1
94:5,7	135:1	<b>hupp</b> 24:23 33:24	116:17 117:18	110:6 111:24
<b>hearing</b> 42:7	<b>hereinabove</b>	34:1,6 40:5,10	118:3,23 121:7	112:20,21,25
128:15,18 129:1	144:12	41:11,18 42:13	125:24 128:4	113:10 115:20
138:19,24	<b>heres</b> 115:25	42:18 43:7 47:8	133:6 136:13	116:18 118:11
<b>hearings</b> 138:25	<b>hereto</b> 144:11	47:11 122:24	137:22 140:13	118:13 142:10
<b>hearsay</b> 74:25	<b>hereunto</b> 145:19	123:4,25 124:10	141:15	<b>informations</b> 56:3
78:10 127:3	<b>hes</b> 26:14 67:21	124:15,23	<b>important</b> 44:19	<b>initial</b> 82:17 120:4
129:3,7,11,12	119:25 142:9,18	128:24 129:10	55:3	120:7
138:7	<b>hey</b> 80:25 115:2	131:1 132:11,21	<b>impossible</b> 139:6	<b>initially</b> 142:11
<b>heart</b> 36:6	<b>hicks</b> 129:19,19	133:1	<b>impression</b> 119:3	<b>injury</b> 6:9
<b>hed</b> 43:17,18	129:20 133:1	<b>hupps</b> 47:14	<b>improper</b> 135:21	<b>inquiry</b> 112:6
45:17 48:21	<b>hiding</b> 32:2	84:19	<b>improved</b> 131:14	<b>insurance</b> 124:3
49:24	133:13,24	<b>husband</b> 34:23	<b>inaccurate</b> 14:23	124:11 125:5
<b>heigele</b> 3:1 4:21	<b>hierarchy</b> 105:6	47:11,15 77:12	<b>inadmissible</b> 39:6	128:16 129:5
4:21 10:25 26:4	<b>higher</b> 31:15,18	84:20	<b>inasmuch</b> 105:6	131:1 132:8,15
26:13 36:23	<b>hire</b> 15:9,14 16:9	<b>husbands</b> 47:18	<b>inclination</b> 66:6	139:16
37:3 40:1 42:4	<b>hired</b> 14:3,4,10		<b>include</b> 112:25	<b>interested</b> 29:3
50:15 51:13,19	15:8,16,25	<b>I</b>	<b>included</b> 53:2	43:25 44:1,16
54:4 58:20 59:8	<b>hold</b> 34:15 70:14	<b>id</b> 28:8 91:16	100:23 110:6	141:15 145:17
59:15 60:16	71:23 119:23	<b>idea</b> 27:13 77:10	111:22 112:21	<b>interfere</b> 31:21
65:6 66:10 67:7	<b>holian</b> 50:21	<b>ideas</b> 33:21	115:19 120:23	<b>interim</b> 96:2
67:18,21 69:2,23	<b>home</b> 43:18 46:24	<b>identified</b> 33:1	<b>including</b> 47:8,10	112:1
72:14 74:6,10,24	47:1 48:14	<b>ignoring</b> 127:21	79:1 87:25 99:3	<b>interpretation</b>
75:15 76:4	49:14 86:12	<b>ill</b> 36:11 42:1	130:12	77:24
77:18 78:8,17	107:6 126:15	51:16 81:1	<b>incomplete</b>	<b>interpreted</b> 82:1
82:7,17,22,24	138:5	87:17 88:25	115:19	<b>intervening</b> 111:9
85:20 86:6,22	<b>honest</b> 99:5 132:6	112:18 143:12	<b>inconsistent</b>	<b>interview</b> 14:1
87:6,19 88:8,21	<b>hoot</b> 123:15	143:25	134:23	40:9,15,21 41:17
92:11 94:17	<b>hope</b> 60:10 67:12	<b>illuminating</b>	<b>incorrect</b> 100:11	42:18 43:24
97:11 98:25	78:2	125:12	100:19	44:1,3
99:5,7 101:24	<b>hopeful</b> 73:20	<b>im</b> 12:5 14:7,8,8	<b>indicate</b> 77:11	<b>interviewed</b> 14:2
103:24 109:4,7	<b>hopes</b> 76:5	18:23 21:9,10,10	<b>indicated</b> 64:16	40:5 50:6 51:1
110:13 112:9	<b>horse</b> 25:24	21:13 22:16	86:19 89:2,6	<b>interviewing</b>
113:1,6,14,18	<b>hospital</b> 17:19	23:20 25:23	90:22 110:3	127:12
114:2,13 116:16	<b>hotel</b> 10:1	27:5 28:1,12,22	115:24 116:3	<b>interviews</b> 24:23
118:1,4,17,19	<b>hour</b> 64:17 68:20	29:3,4 36:24	<b>indicates</b> 112:17	25:2 48:20
119:21,23,25	69:11 85:11,11	38:9 41:7,10,10	<b>indication</b> 90:9,9	<b>investigate</b> 52:18
121:19 124:20	86:21	43:13,25 44:1	<b>individual</b> 105:10	55:25 56:8
126:5,8,19	<b>hours</b> 2:11 10:3	49:1 51:3,19	105:11	<b>investigated</b>
127:23 130:23	90:17 104:8,11	62:14 66:11	<b>individuals</b> 64:21	46:21
137:5,20 138:6	<b>house</b> 32:2 51:9	69:25 70:1 72:5	91:1 130:9	<b>investigating</b>
141:7,10 143:11	52:2,11 55:8	72:21 73:17,23	<b>influence</b> 35:10	57:19
143:21,25	59:5,18,20 60:21	75:15 77:5 83:1	69:22 98:16	<b>investigation</b>
	61:7 69:9 96:1	83:13 86:3	<b>information</b>	25:16 26:2 28:5
		87:10 93:5		

31:20,22 48:11	<b>J</b>	123:21,25 125:6	72:11 74:20	3:6,10,10 5:7
53:2 57:2 63:12	j 1:6 2:6 3:9 4:18	138:5,9,12,15	77:9 80:19,24	9:15,15 11:11
99:20 103:21,25	jacket 120:6	kind 5:2 6:2,14	84:1 92:1,1	15:15 17:14
104:7,17,19	jail 44:11 135:6,7	17:25 28:16	93:24 94:14,24	22:9 24:13
105:3 119:9	jane 1:22 2:14	41:25 43:5	95:2,9,24 96:1	25:15,17 26:1,9
142:15	67:19 88:19	46:25 47:10	97:1,11 98:9	27:14 34:21
investigations	145:2,22	72:4,13 81:1	99:7,13,19,21,23	46:20 64:22
62:22 124:7	january 7:7,8,17	90:25 92:5 96:6	99:24,25 100:2,4	70:16 71:4 73:8
investigator 119:2	9:7,18 44:10	118:23 133:17	101:12,20 102:9	76:19 83:9 84:2
investigators	83:12 84:5	133:23	105:11,15	91:1,6 92:10,14
47:17 77:14	110:18 117:20	kinds 29:8	108:11,22	93:11,19 96:23
involved 20:12	142:4,4	king 2:23	109:13 110:16	99:1 106:17
32:25 33:4	jason 2:23 4:16	kitchen 92:5 94:9	110:23 111:24	112:13,23 114:8
56:20 57:13	jefferson 9:9	95:5	112:4,12 115:10	114:18 127:17
62:22 70:3	jeopardy 142:21	knew 19:10 23:24	115:12 116:8,20	133:22 140:5,6
76:19 81:19	142:24	31:15 34:10,11	117:4,19,22	145:5
98:1,3,8,9,23	job 11:2,5,6,7,13	34:15 49:23	118:4 119:6,7	lawful 4:3
102:22	11:17 12:6 45:8	50:5,8,9 56:18	120:22 124:13	lawn 4:24
involvement	55:15 85:2	86:9 87:4,7	124:21 127:9	lawyer 15:18,19
20:16 21:5 35:2	113:2 123:9	90:14,15 98:3	130:3 132:18,25	136:12
70:1,7	jobs 11:18	99:11,13 117:14	133:4,8,14	lawyers 136:18
isnt 12:7 54:21	joel 3:6 4:20 67:8	127:9,14 130:4	138:11 139:6,8	lead 23:10 26:8
79:9 95:13	67:11 130:19,21	134:24	141:5,6,8,9	51:5 55:25 56:8
120:25	141:7 142:5	know 4:8 7:15	142:15,17,18,20	57:5,7,10,12
issuance 95:16	john 13:10	10:1 11:15	knowledge 11:2	64:7,10 74:7
issue 30:4,8 46:16	join 51:16	12:16,16 13:24	22:8 28:15	89:23
46:20,23 70:20	joking 128:13	13:24,25 17:15	32:13 39:19	leading 129:18,21
71:13 83:20	judge 15:19 92:22	18:6,9,18 19:11	42:17,20 80:13	leads 33:9,10
84:4 91:17	93:2 106:14	19:12,13 20:11	90:18 104:5	55:18 56:22
97:16 98:16	130:15,25	20:22 21:13,16	120:19,22	57:16,25 60:15
112:18,24 115:1	139:10,14,15	21:25 22:1,14,21	132:20 145:9	60:17 83:7
116:12 120:3,13	jury 6:11,24 7:2	23:22 26:24,25	known 22:9 24:24	leah 1:13 2:9 3:3
128:3 132:7,9	7:13 138:14	27:1 28:11,12,14	45:15,18 46:25	4:2,12 78:11
133:5 137:20	justice 8:10,23	28:16 29:8,18	47:2,16,19,20	131:23 144:8,14
issued 84:13	10:12,21 11:7	31:1,9,14 32:14	48:11 53:8 92:7	145:7
85:14 89:1 91:9	16:10,13,14	32:16 33:20	knows 36:24	learn 17:11 25:4
103:22 110:24	73:21	34:1,14,15 35:8	66:11	25:10,12 34:19
111:13 114:9	<b>K</b>	35:9 36:1,3,9,18	krehbiel 2:23	35:13,16 40:9
116:5,13 118:9	kaiser 40:14,16	36:18,25 37:1,23	ksd 74:21	45:25
118:15 137:22	40:20 41:3,16	38:10,23 39:1,22	ksdk 78:2	learned 17:6,7,8
issues 6:20 133:15	42:14,18 43:6	40:7 42:9,19	<b>L</b>	25:7,13 34:23,24
133:16 134:15	kansas 3:2	43:13,21,22,24	11:13 2:9 3:1 4:2	35:1 50:11,17
134:15,17	katz 3:2	44:22 45:1,1,18	144:8,14 145:7	56:22
issuing 84:25	keep 17:16 99:5	45:22 46:14	lady 52:22	learning 25:1
87:24 114:11	kept 19:24	50:11 58:11,15	lake 35:6	leave 27:18
121:3	kids 20:21 21:1	59:3 62:15	larger 57:1	113:12 123:16
ive 42:16,20 43:23	kill 124:24	66:12 68:22	late 7:10 18:19	leaving 123:2
73:24 137:9	killed 48:14 58:2	69:20 71:1,1,2	19:20	led 30:24 31:1
140:9 142:9		71:19,20 72:10	law 2:13,19,23 3:1	57:5 111:10

left 47:14,19,21 47:25 48:14 84:19 119:17 legal 5:16 legally 135:21 lenay 4:12 liaison 11:11 license 2:15 15:16 140:5,6 145:3 lieutenant 22:19 life 5:4 11:3 124:3 124:11 129:5 light 121:18,23,24 122:5 limited 90:18 lincoln 3:5 4:20 16:24 63:9 76:5 76:9 105:13 129:23 line 88:23 136:2,4 136:5,18 lines 65:4 75:22 liquid 109:10,11 listen 24:2 136:23 136:24 137:11 137:15 listened 135:18 137:3 listening 135:22 136:21,25 137:9 137:13,16 little 5:3 6:4,16 41:25 47:23 118:25 131:10 133:25 live 11:10 65:18 65:20 103:14 lle 3:2,10 load 15:7 located 33:17 location 37:24 133:24 locations 28:13 locker 101:3 log 100:23 logical 54:24 logs 100:23,25 135:12 long 5:25 9:25	44:5 69:6 89:23 89:24 90:19 104:16 108:23 120:6 125:5 longer 142:22 look 101:3 102:2 102:5 119:13 123:11 137:18 137:23,25 looked 47:17,17 77:20 102:5,19 102:21 107:20 looking 27:15 34:1 43:16 74:15 102:20 121:7 looks 67:4 lost 38:25 109:17 lot 11:16,16 48:13 53:20 81:4 85:1 90:24 130:1 133:17 lots 57:16 louis 2:24 3:11 5:7 5:10 35:6 lovely 67:9,10,11 lower 74:4 luminesced 94:8 luminescence 91:17,19 92:10 92:15 94:16 95:22 97:17 98:21 99:9 101:5 103:2 105:15 108:15 109:19,25 110:6 115:20 116:20 116:22,24 117:3 117:19,24 125:18 137:19 137:24 lunch 143:10 lying 138:17	20:11 21:9,19,23 22:23 23:8 24:18,23 25:20 26:1 29:6 30:15 30:22 32:19 33:1,5,23 34:6 34:19 39:12,12 40:11,22 42:7 44:16 45:23,25 46:19 49:8 50:13,13,16 51:11,14 52:11 52:17 55:13,20 56:16 58:25 60:3,14,20 62:4 62:20,21 64:1,8 66:4,7,15 68:1 69:2,8 70:9 75:10 79:15,16 82:3,4,11,15 83:3,8 88:10 91:2 96:15,24 97:2 104:13,18 105:18 119:9 120:19 122:2,4 138:3 making 29:23 40:20 73:11 76:23 77:1 malfunction 101:21,22 malfunctioned 101:17 man 67:11,21 77:14 manage 57:24 manpower 57:25 march 108:8 122:17 mariah 131:23 mark 121:17,23 matched 121:17 material 27:4 107:21 materials 97:3 106:3,7 125:13 math 74:12 119:18 matter 19:14	46:16 53:16 61:21 76:6 77:7 78:2 matters 145:10 mccarrick 1:6 2:6 2:22 4:17 22:5,5 22:16,22 23:15 24:12 31:12,14 33:18 35:18 39:13,17 51:7,15 55:6,9,14 59:4 60:20 61:1 65:1 90:4 103:19 105:12,17 109:24 127:2,7,8 128:1 mccarricks 51:22 55:11 109:22 mean 8:2 9:24,24 14:14,16,18 21:7 27:3,16,23,24 28:6 30:14 31:18,20 33:9 34:11 36:5 38:15 45:7 46:11 47:4 48:20 53:6 60:2 70:3 82:1,17 87:4 93:1,3 95:11,13 97:2 102:15 106:9 107:12 108:4 109:7 110:24 111:1 116:7 117:17 121:11 126:3,15 127:3 129:22 130:1 133:21 134:22 135:16 140:9 144:2 meaning 57:6 means 16:14 32:1 32:3 53:12 meant 114:12 144:3 measurements 32:3 mechanical 38:14 38:21	medical 109:9 meeting 9:8 35:21 42:13 133:7 meetings 22:23,25 24:18 27:10 28:7 35:21 55:10 60:20 61:2,10 62:4 66:15 69:7 105:17 133:2 member 78:22 members 69:8 memories 42:1 memory 20:17 23:7 24:17 29:11 43:7 73:2 96:13 133:23 men 134:3 mention 90:21 mentioned 36:16 144:12 merkel 3:9,12 4:17,18,19,19 98:1 101:17 102:22 109:21 110:3 message 47:14,19 47:21,25 84:19 met 92:21 111:13 111:16 118:14 michael 55:7 middle 121:6 mike 3:12 4:19 77:10 78:2,21 79:1 80:5,9,10 81:20,22 mind 72:18 84:4 111:10 114:24 121:1 minimum 85:11 minute 30:23 minutes 48:2 62:2 67:5 mis 76:25 misquoting 76:24 77:2 missouri 1:1 2:1 2:14,15,20,24 3:3,8,11 8:10,23
--	---	--	---	---

9:12 11:19 145:3,6 <b>misstates</b> 50:15 51:13 59:8 75:16 87:6 88:8 101:24 112:9 114:13 126:5 127:24 <b>mix</b> 56:3 57:11 <b>mo</b> 1:24 <b>mom</b> 131:24 <b>moment</b> 29:1 30:21 77:5 114:7,12 134:13 <b>monday</b> 1:16 <b>money</b> 132:14,19 132:22 <b>month</b> 8:1 <b>months</b> 43:3 125:21 <b>morning</b> 9:25 20:15,18 21:6 23:9 24:22 27:1 40:5,6 42:14 50:9 126:14 <b>mortis</b> 65:13 67:24 68:1,3,9 68:10,12 90:18 <b>mortise</b> 68:11 <b>motion</b> 129:1 <b>motions</b> 97:7 <b>motive</b> 124:7,23 125:3 129:10,11 <b>move</b> 68:21 <b>moved</b> 68:24,25 <b>moves</b> 68:19 <b>mower</b> 4:24 <b>murder</b> 7:10 16:22,23 17:1,7 21:23 22:11 24:10,14,19 30:13 33:24 34:7 35:2 39:15 43:12 44:8 48:21 50:10 52:18 53:3,7,10 53:14 54:9,19,20 54:22,23 55:2 58:13 63:3,8,11	63:13,24,24 71:6 76:6 78:4 80:2 83:16 84:10,13 84:14 85:15,21 86:7,9,10 87:24 95:17 103:18,22 104:7,8 105:4 106:19 119:11 129:23 133:24 137:23 142:19 142:22 <b>murdered</b> 54:19 72:2 82:12 85:16 <b>murderer</b> 58:6  <hr/> <b>N</b> <hr/> <b>n</b> 2:17 145:5 <b>name</b> 4:11,12 18:13 98:6 129:19 <b>named</b> 21:22 40:14,14 41:4 <b>names</b> 4:8 <b>narrow</b> 139:3 <b>nathan</b> 2:20 4:15 <b>near</b> 32:9 96:18 128:5 <b>necessarily</b> 28:21 99:21 134:22 <b>need</b> 82:14 110:15 <b>needed</b> 73:9 129:4 130:4 137:13 139:8 142:10,10 <b>needs</b> 12:11 <b>negated</b> 108:14 <b>negative</b> 108:11 122:18,20,21 125:21,25 126:3 <b>neil</b> 3:4 19:15 <b>never</b> 25:17 39:2 78:24 79:8 121:17 123:18 126:15 134:5,24 <b>new</b> 14:4 15:9 83:2 94:3,4 105:1 110:18 111:19 <b>newly</b> 9:9,21 <b>nextdoor</b> 21:8,10	<b>nice</b> 122:25 <b>nicer</b> 67:7 <b>night</b> 19:20 20:6,9 20:14 28:19 34:22 43:12 46:17 48:21,22 49:13 50:19 60:22 138:5 <b>nissan</b> 133:24 <b>nodding</b> 111:8 <b>normal</b> 39:9 <b>normally</b> 18:7 36:21 66:7 <b>north</b> 2:14,24 3:7 <b>notary</b> 144:20 <b>notes</b> 118:24 <b>notice</b> 88:15 136:6 145:4 <b>november</b> 145:20 <b>number</b> 14:7 26:17,18 <b>numbers</b> 74:4  <hr/> <b>O</b> <hr/> <b>o</b> 1:23 <b>ofo</b> 4:1 144:7 <b>object</b> 26:14 60:11 72:5 74:25 75:16 78:9 138:7 <b>objection</b> 37:3 74:25 75:1 77:19 78:13,14 113:6,14,18 127:25 137:20 <b>objections</b> 76:4 <b>objective</b> 58:14 <b>objectives</b> 58:12 <b>observation</b> 87:3 <b>observations</b> 66:8 66:20 86:20 110:4 <b>observer</b> 26:11 <b>obtain</b> 39:19 60:7 <b>obtained</b> 36:4 42:17 <b>obviously</b> 15:15 80:5 129:23 <b>occasions</b> 100:21 <b>occur</b> 99:22	140:15 <b>occurred</b> 56:16 60:9 84:10,14,22 85:21 86:5,10 87:25 96:7 97:17,18 99:11 129:23 138:13 138:24 139:2,7 <b>occurs</b> 37:1 <b>oclock</b> 2:11,12 35:6 43:19 44:25 45:2,9,17 69:17 <b>october</b> 1:16 2:10 5:15 144:10 <b>odd</b> 121:13 <b>odor</b> 97:3 <b>offense</b> 67:8 <b>offered</b> 12:6 <b>offering</b> 55:14,17 <b>office</b> 8:8 9:1,3 10:15 11:23 12:3 13:7 14:8 14:13,20,20,21 16:6 19:8,9,12 20:23 21:8,15 30:21 42:15 43:18 50:5 67:10 101:13,15 102:14 129:24 130:9 142:3 <b>officer</b> 40:13 41:4 64:7,9 99:1 115:14 <b>officers</b> 40:4 50:6 51:1 55:22 56:7 64:23 89:9 93:11 97:20 99:9 100:8 127:5 132:20 138:2 <b>offices</b> 2:13 145:5 <b>oftentimes</b> 112:19 114:18 <b>oh</b> 44:7 61:13 111:24 139:19 144:2 <b>okay</b> 5:1 7:22 8:19 9:6 12:3,12	15:8 16:3 17:18 19:4 22:22 24:17 27:12 28:25 29:10,25 33:8,22 34:16 36:11,20 37:2,14 40:13 41:9,25 42:22 43:1,15 44:5 45:3,20 46:15,25 47:4 49:12 50:5,24 52:10,24 54:6,24 55:6 56:15 61:3 62:3,21 63:5 66:1,21 70:20,22 73:14,18,23,24 74:18 75:2,5,8,9 76:9 77:23 78:17 79:11 80:9 81:21 83:8 85:9,18 86:1 88:19,25 89:22 93:8,9 94:5 95:14 100:2,5,12 101:9 102:2 103:6,17 106:16 107:15,18 108:6 109:9,12,14,16 109:18 110:1 115:5,23 116:9 116:20 117:23 118:25 119:1 120:12,24 121:4 122:16,24 124:6 125:8,16,17 128:4,14,20 130:14 132:20 136:20 137:17 138:10 139:1,16 140:13,15,19 141:2,10,15 143:23 144:2,3,4 <b>old</b> 17:19 <b>once</b> 31:23 35:18 49:16,17 90:22 126:3 <b>ones</b> 14:2 102:13 <b>open</b> 74:16 90:9 <b>opinion</b> 10:25
---	--	--	--	--



51:25 55:11,12 55:15,17 59:4 84:14 85:4,5,6,8 85:9,13 86:4,5 86:13 104:6 111:20 122:22 123:22 <b>opportunity</b> 14:1 <b>opposed</b> 26:12 60:8 <b>oral</b> 40:20 41:17 42:4,6 43:5,8 53:15 72:20 91:13 98:22 <b>orally</b> 115:25 <b>ordinarily</b> 79:15 <b>outcome</b> 140:12 141:9 <b>outside</b> 80:14,20 90:8,23 92:8 107:5,6 <b>overly</b> 16:6 <b>overreaching</b> 74:24 <b>overriding</b> 58:1,3	<b>parking</b> 81:4 <b>part</b> 11:5,6,7,8,10 11:12 32:13 50:16 73:2 92:5 99:13 117:11 143:20 <b>participant</b> 26:12 <b>participated</b> 79:12 <b>particularly</b> 120:5 127:21 <b>particulars</b> 138:20,23 139:13 <b>parties</b> 145:16,17 <b>party</b> 136:11 <b>path</b> 92:5 <b>pattern</b> 121:24 <b>pause</b> 4:25 <b>paw</b> 29:12,15,16 29:21 106:16,24 107:3,7,9,15,18 107:20 119:3 <b>paws</b> 30:1,5 <b>pay</b> 6:22 <b>pending</b> 140:22 <b>people</b> 13:15 14:4 14:12 15:25 16:19 22:25 24:24 32:6 33:10 40:17 50:18 51:5,11 55:12 56:24 57:19 58:13 60:14 64:8 66:7 66:14 79:4 86:25 98:23 127:12 129:8 <b>percent</b> 93:6 <b>perfect</b> 12:13 56:23 <b>performed</b> 103:8 116:22 117:4 <b>performing</b> 103:14 <b>period</b> 37:8 44:5 45:8 105:2,18 110:19 111:10 135:10,11	<b>person</b> 6:21 13:3 13:9 14:19 15:13,16 16:9 17:19 36:12 53:18,24 54:2,2 54:19,21 63:15 63:23 68:19 87:10,10,14 113:21,21,23 123:17 127:16 127:17 134:18 <b>personal</b> 3:4 6:9 16:15 28:15 123:22 143:7 <b>personally</b> 18:21 54:22 <b>personnel</b> 22:24 70:9 82:4 96:24 <b>persons</b> 53:13,21 <b>perspectives</b> 64:21 <b>petruska</b> 3:10 <b>phone</b> 19:17,24 45:5 47:10,12,18 76:8 79:4 84:18 84:18,23 86:11 136:12,22 <b>phones</b> 18:17 <b>photograph</b> 32:17 96:17 <b>photographs</b> 32:16 96:12 100:9 101:5,12 <b>photos</b> 32:4 101:1 <b>physical</b> 53:8,14 <b>pictures</b> 99:18 100:6,13,17 101:23 102:5,6 102:13,15 103:1 103:9 137:18,24 137:25 <b>piece</b> 122:1 <b>pillow</b> 41:13,22 <b>place</b> 15:2,4 18:24 19:1 25:2 133:18 134:12 134:16 143:9 <b>placed</b> 34:15 <b>places</b> 45:21 46:6	49:16,17 <b>plaintiff</b> 1:4,15 2:4,10,18 4:5,14 4:15 <b>plaintiffs</b> 74:8 <b>plate</b> 121:18,18 121:23,25 <b>played</b> 30:9 <b>plea</b> 63:19 <b>please</b> 4:11 67:20 75:4 76:3 82:7 88:19 92:11 116:17 130:23 140:8 <b>pleban</b> 3:10,10 4:18,18 143:4 <b>plenty</b> 72:15 <b>point</b> 8:13 21:13 22:9 37:25 49:11 50:8 52:21 55:24 57:3,22 61:5 69:23 70:15 73:21 80:6 84:16 85:8,13 86:6 91:11 94:17 98:11 102:7,19 103:23 104:1 108:1,2,5 112:22 118:17 121:9,20 132:18 134:10 <b>pointed</b> 47:4 <b>police</b> 34:20 66:16 69:18 70:8 86:19 89:9 <b>policies</b> 124:4,15 124:16 129:6,9 <b>policy</b> 14:19 124:11 128:16 128:23,24 <b>politically</b> 131:6 <b>poly</b> 126:21,21 127:8 <b>polygraph</b> 35:7,8 35:11,14,19,24 36:3,5,12,20 37:5,7,10,10,13 37:15 39:5,14,17	39:20 127:12,14 127:16 <b>polygraphs</b> 36:10 39:6 <b>pos</b> 29:13 106:17 <b>position</b> 14:2 19:24 25:25 77:25 100:9 105:7 128:20 129:1,2,13,16 139:5 <b>positive</b> 93:6 <b>possibility</b> 79:9 <b>possible</b> 27:15 58:4 <b>possibly</b> 80:8 <b>posted</b> 17:16 <b>powerful</b> 67:21 <b>practice</b> 5:21 6:3 6:12 <b>pratt</b> 119:3 <b>prepared</b> 43:1 103:18 <b>present</b> 2:20 3:3 3:12 23:3 51:22 56:20 95:22 105:16 109:24 114:10 131:6 139:16,21 <b>presentation</b> 71:5 <b>presented</b> 71:24 72:24,24 82:21 92:22 102:13 106:3 111:3 115:9,10,19 139:22 <b>press</b> 73:12,14 76:16 78:22,25 79:11,16,20,25 80:6 <b>pressure</b> 36:6 <b>presumed</b> 64:9 <b>presumption</b> 19:7 <b>presumptive</b> 126:1 <b>pretty</b> 15:4 20:25 24:12 41:10 43:17 44:19 47:2,22 54:24
---	--	--	---	--

62:1 123:8 <b>prevailed</b> 63:18 <b>primary</b> 10:23 12:22,23,24 33:2 <b>print</b> 29:12,15,17 29:22 106:16 107:3,7,16,19,20 <b>prints</b> 106:25 107:9 <b>prior</b> 22:20 34:22 77:11 127:24 133:2 <b>private</b> 6:3,12 136:4,18 140:14 141:5 <b>privilege</b> 136:7 <b>probable</b> 53:11,17 53:21 71:10,16 72:1,6,18,20 82:18,20 83:11 83:15 84:8 95:16 97:15 98:25 103:17 105:19 108:2 109:22 110:2,5 111:14,16,22 112:17 114:23 115:13 116:4,11 118:8,10 119:10 119:13 120:2,3 120:10,13,16,25 122:19,23 127:2 128:2 137:17,21 <b>probably</b> 8:2,3 19:2,20 22:17 31:6 43:3 103:20 <b>probe</b> 41:25 <b>problems</b> 131:6 <b>procedure</b> 18:24 19:1 <b>procedures</b> 64:3 <b>proceeds</b> 132:8 <b>process</b> 66:2 73:3 92:1 130:12 <b>pronouns</b> 109:17 <b>propose</b> 92:9 <b>prosecuted</b> 63:15 142:22	<b>prosecuting</b> 9:13 10:15 13:4 <b>prosecution</b> 9:14 16:15 63:17,18 94:13 129:18,21 <b>prosecutions</b> 11:21 <b>prosecutor</b> 6:1 7:1 8:6,9,22 10:24 13:13 15:5,13,18,19 18:23 31:8 62:23 76:5,7,10 78:19 87:13,23 112:24 113:13 <b>prosecutors</b> 7:4 9:8,12 10:20 130:2 <b>protected</b> 11:8 <b>protocol</b> 99:21 <b>provide</b> 11:9 73:21 116:18 <b>provided</b> 46:8 100:22 118:11 137:2 <b>public</b> 136:5 144:20 <b>pumping</b> 46:13 <b>purchased</b> 6:21 <b>purpose</b> 52:17 57:24 58:1,3,5 60:3 92:4,7 <b>purposes</b> 32:6 <b>pursuant</b> 83:15 145:4 <b>pursue</b> 57:11 <b>pursued</b> 64:7,9 <b>purview</b> 92:8 <b>put</b> 15:2,4 42:15 56:3 57:10 80:12 85:22 102:16 112:19 114:25 119:17 132:14,19,22 137:13 <b>puts</b> 136:5 <b>putting</b> 114:21 120:5	<b>quad</b> 122:4 <b>qualifications</b> 15:12 <b>question</b> 25:9 26:5 27:19 30:3 30:5,7,20 34:3 44:24 49:21 52:13 57:8 59:17 72:5,18 78:9 79:6,24 82:12 87:21 88:17,20,22,24 102:25 108:6 114:6 117:18 121:21 126:11 128:15 132:4 134:19,20 143:8 <b>questions</b> 4:7 25:22 28:12,17 28:18 29:7,8 36:13 72:14,16 118:24 133:8,9 134:23 143:2,3,4 143:5,12,14,14 143:16 <b>quickly</b> 24:14 <b>quote</b> 50:16 103:25	<b>realized</b> 90:22 <b>really</b> 7:22 18:2 26:15 43:25 48:13 54:14 61:9 72:23 134:24 136:7 <b>reason</b> 38:16 39:10 <b>reasonable</b> 127:1 <b>reasons</b> 90:6,7 <b>recall</b> 20:17 25:8 28:6 29:2 31:5 32:8,18,19,22 33:3,12 35:3 41:15 43:10,13 43:15 45:14 46:15,18,23 47:15 57:15 64:18,19,20,24 65:14 67:22 69:16,19 70:12 70:14 71:3,9 75:13,24 77:4 79:5,14 80:10,14 80:23 82:13,14 83:3,6 91:12,14 91:18 92:6 93:18 94:11 95:15 97:24 102:1 106:1 108:7 128:25 <b>recalling</b> 29:4 <b>receive</b> 112:12,15 <b>received</b> 72:19 105:19 142:5 <b>recollection</b> 32:11 <b>reconcile</b> 85:18 <b>record</b> 36:21 58:19,22 67:13 67:15,19 76:3 118:20,22 119:19 139:24 140:2,4 144:4 145:13 <b>recorded</b> 135:5,11 135:15 136:2,3,8 <b>records</b> 38:6,9,13 45:4 76:8 79:4 <b>recovery</b> 133:23	<b>redact</b> 67:19 <b>reduced</b> 145:12 <b>reference</b> 17:5 39:4 126:21 133:21 <b>referred</b> 68:9 <b>reflect</b> 119:19 <b>refuse</b> 115:4 <b>refused</b> 115:5 116:1 <b>regard</b> 18:3 19:2 28:13 30:8 66:18 77:9 79:7 87:1 121:3 129:5 <b>regarding</b> 10:14 20:2 32:20 59:25 129:8 140:23 <b>regardless</b> 139:14 <b>regards</b> 126:6 <b>register</b> 36:19 <b>regular</b> 21:17 48:22 <b>rehabilitated</b> 134:11 <b>relate</b> 28:18 140:17 <b>related</b> 139:23 145:17 <b>relates</b> 30:5 81:16 136:10 <b>relative</b> 33:14 53:25 54:2,5 <b>release</b> 40:2 69:14 69:22 70:4,13,23 71:20 73:12 80:13,18 82:5,10 82:23 83:2 84:3 96:2,7 110:10,17 <b>released</b> 69:17,19 70:11,16 73:9 84:12 <b>relevant</b> 107:4 112:6,25 114:11 120:5,8 124:7 <b>relied</b> 64:6 66:8 127:17 <b>rely</b> 55:22 56:6
<b>Q</b>				
<b>R</b>				
<b>r</b> 2:17 <b>rainbow</b> 6:22 <b>ran</b> 8:7,15 12:25 13:3 33:9 <b>range</b> 23:21 <b>rank</b> 31:15,18 <b>rape</b> 113:20,22 <b>rate</b> 36:7 38:8 <b>raw</b> 35:23 36:4,5 39:19,23 <b>reach</b> 16:15 63:12 <b>reached</b> 142:18 <b>read</b> 42:16,24 75:3,6 76:3 88:22 125:14 144:9 <b>reading</b> 42:22 75:4 <b>ready</b> 20:19,21 112:24				

127:2,5 <b>relying</b> 66:2 <b>remain</b> 104:16 <b>remark</b> 28:3 77:6 <b>remarks</b> 61:23 67:16,20 <b>remember</b> 9:23 10:2,10,13 12:2 12:15 17:12 18:2,4 19:5 20:4 20:5,14 21:7,15 21:20 22:3,6,12 22:19 23:2,5 24:8,15 25:1,11 25:13,14 26:18 27:7,16,22 28:2 28:9,11 29:5,6 29:15,16,20,23 29:25 30:2,7,9 30:15 31:13 32:17 33:17,22 34:5,8,14 35:15 35:21 39:16 40:11,13,16,20 40:23,25 41:3,11 41:14,21,22 42:2 42:7,10,19,22 43:4,6,23 44:14 44:15 46:7 50:17,21,25 51:3 51:6,10 52:3,4,5 52:10 55:14,17 56:15 59:7,16,19 59:20,23,25 60:19,24,25 61:1 61:3,9,12,15,18 61:22 62:3,8,9,9 62:14,19 64:15 65:3,9,10,12,15 65:17,20,22,24 66:6,14,18,19,22 67:25 68:2,4,23 69:6,10,11 71:15 71:24 72:3,12,17 72:21,23,24 73:11,15 75:18 79:17,19,25 80:11,15,20 82:3 83:21,24 84:6	88:16 89:16,17 89:18,20 91:5 93:10,14 96:23 97:8,9,9,12 98:4 98:12 101:19 106:7,11,13,13 106:14,14,23,24 107:14 108:10 111:11 116:19 118:5,7,13,14 119:2,12 121:22 121:24 122:4,6,9 122:13,20,21 126:2 128:11,18 131:22,24,25 132:9,17 134:2,4 134:13,17,18 138:2,8,12,19,24 138:25 139:18 139:23 <b>remembered</b> 68:7 73:5 <b>reopen</b> 141:4 <b>rephrase</b> 8:11 30:3 41:14 88:13 104:3 110:15 <b>report</b> 14:13,14 14:17,18 22:17 40:21 41:16,17 41:21,23 42:3,4 42:6,22 43:5,8 55:15,25 57:4,10 57:15 64:11 74:21 81:15 98:10,13,15,16 98:18 127:11 <b>reported</b> 1:22 46:2 64:8,15 <b>reporter</b> 75:13,19 75:23 76:13,23 77:2 88:22 145:2 <b>reporters</b> 77:1 <b>reporting</b> 1:23 <b>reports</b> 14:22 37:19 62:13 69:7 91:3,5,6,8 91:10,11 100:25	<b>represent</b> 4:14 11:14 <b>representative</b> 103:2,11,13 <b>representatives</b> 141:23 <b>represented</b> 2:18 2:22,25 3:5,9 6:18,23 <b>request</b> 39:3 117:13 136:3 138:22 139:14 <b>requested</b> 39:2 129:24 <b>requests</b> 139:13 <b>requirements</b> 92:21 <b>requires</b> 109:1 <b>reread</b> 88:14,20 <b>reserve</b> 143:12,14 143:25 <b>reserving</b> 143:14 <b>residence</b> 18:5 32:5 <b>resides</b> 113:22 <b>resolve</b> 31:25 <b>resolved</b> 141:3,12 141:14 <b>respiration</b> 36:6 <b>responded</b> 28:3 <b>responder</b> 90:10 127:22 <b>responders</b> 61:23 62:5 64:14 65:13 66:8,16,19 67:23 68:24 69:7 84:20 86:18 87:3 89:2 89:5,9,25 90:21 91:4 <b>response</b> 19:17 103:4 138:22 <b>responses</b> 36:22 <b>responsible</b> 14:24 129:15,17 <b>rest</b> 129:12 <b>restate</b> 51:18 82:7 92:11 93:3 98:15 115:22	130:23 <b>result</b> 141:15 <b>results</b> 35:13,19 35:23 39:14 103:2 <b>retain</b> 38:21,23 39:1,10 <b>retained</b> 15:10 38:8,10,11 <b>retention</b> 13:16 <b>rethinking</b> 12:5 <b>retired</b> 15:24 16:4 <b>retract</b> 96:22 <b>retter</b> 2:23 4:16 4:16 51:16 110:21 143:3 <b>returned</b> 23:10 <b>review</b> 91:8,10,14 120:9 130:10 142:5 <b>reviewed</b> 106:5 120:10 <b>rich</b> 1:22 2:15 145:2,22 <b>richard</b> 129:19 133:1 <b>richards</b> 13:10,11 <b>rid</b> 38:24 <b>right</b> 5:5,16 7:2 7:11 8:13 9:19 10:16 11:21 14:5,9,13,20 15:9,10 16:22 17:3,20 18:1,10 19:9 21:1 23:15 23:19,21 26:23 27:7 32:4,8 33:11,14,19 34:12 36:7,13,16 39:7,9,18 40:18 41:5,7,10,18,20 42:9,13,14 43:19 43:20 44:13,15 44:23 45:5 46:14 47:1,5,8 47:12,16,23 48:8 48:11,16 49:5,9 49:14,16,20,25 50:3,7,10,22	51:20,22 52:7,8 52:18,20,22,25 53:4 54:1,3,3,9 54:14,16,24 55:8 55:20,22 56:1,4 56:8,10,13 57:7 57:13,17,20 58:2 59:11 60:11,11 62:11 64:3,6 65:2 68:5,14,16 69:4 70:25 72:12,25 73:6 74:3,5,22 76:10 77:8,12,17 79:22 80:18 83:1,16,18 83:23 84:21 85:2,23 87:4,5 88:6 89:14 91:16 92:23 93:2,4 94:10,16 95:12 96:18,20 97:14,17 98:6,6 98:8 99:12 100:6,10,18 101:23 103:19 104:5,21,23,25 105:13 106:9,10 106:12 107:13 107:13,16,22 108:23 109:19 110:7,24 111:2,5 111:21 112:14 114:10 115:3,6,9 116:1,5,12,14,21 116:24,25 119:18 120:20 121:5,10 122:11 122:13,14,24 124:4,16,16,18 125:13,19,19,22 126:21,23 127:4 127:13,14,17,18 129:16 130:1,2,6 132:2,12,16 133:19 134:1,6 135:6,14,15,18 135:19 137:12 139:2 141:6 142:25
---	---	---	---	--

<b>righthand</b> 75:25	<b>russell</b> 1:3 2:3	65:7 66:11 67:4	138:1 139:12,25	105:7,8 119:8
<b>rigor</b> 65:13 67:23	4:14 49:13 59:1	67:10,14,19,22	143:13	<b>sheriffs</b> 19:8,9,12
68:1,2,9,10,11	59:17 71:25	69:4,25 70:6	<b>secretary</b> 142:10	21:8 70:9
68:11 90:18	72:1 77:8,17	72:15,17 74:8,11	<b>secure</b> 96:2	<b>shes</b> 82:24 126:9
<b>ring</b> 33:15 40:15	78:12 82:8 84:3	74:16,18 75:2,18	<b>see</b> 11:7 29:11	<b>shop</b> 21:9
47:13 66:24	110:11,17	77:23 78:16,18	30:6 44:6,10	<b>short</b> 4:25 58:4,23
67:1,2 97:4 98:2	122:25 123:2,5	82:8,19 83:1	45:7 74:4 92:4	108:23 118:21
<b>road</b> 131:13	126:24	85:22 86:7,24	99:25 102:3,19	<b>shortly</b> 30:17
<b>role</b> 27:5 29:4	<b>ryan</b> 1:6 2:6	87:12,22 88:16	107:24 112:7	<b>shot</b> 143:18
30:8,9 62:22		88:19,25 92:13	120:7 123:2	<b>shouldnt</b> 139:3
143:6	<b>S</b>	94:18 97:14	137:17	<b>show</b> 94:16
<b>rookies</b> 9:18	<b>s</b> 2:17 3:11 141:22	99:3,6,8 102:2	<b>seeing</b> 32:18	103:10
<b>room</b> 2:12 19:16	141:23 142:3	104:2 109:12	133:13 134:3	<b>showed</b> 100:9,13
22:7 67:8,9	<b>safety</b> 11:9,9,10	110:15,22	<b>seeking</b> 114:8	103:1 117:13
<b>roughly</b> 23:18	32:5	112:12 113:4,16	<b>seen</b> 35:23 74:18	126:23,24
26:22 35:5 40:6	<b>samples</b> 125:23	114:1,5,15	97:6 101:9	<b>shows</b> 109:21
49:19 61:24,25	<b>san</b> 5:4	116:17 118:2,6	103:12,14	<b>sift</b> 58:5
69:16 85:7	<b>savvy</b> 125:4	118:18,20,22	106:11 133:23	<b>sign</b> 92:18 93:4
108:8	<b>saw</b> 46:9,14 80:24	119:22 120:1	<b>semantics</b> 34:17	<b>signature</b> 93:13
<b>routine</b> 130:1	100:15 101:4	121:22 124:21	53:16	144:10
<b>rrainbow</b> 6:19	103:8	126:11,20 128:4	<b>seminars</b> 10:4	<b>signed</b> 92:16,21
<b>ruled</b> 131:1	<b>saying</b> 23:20	128:8,11,14	<b>send</b> 115:2 137:14	93:6,16 145:12
<b>rules</b> 11:19	26:14 28:2	130:25 137:6,22	142:11	<b>signing</b> 106:12,14
130:15 139:9	42:10 43:6	138:10 140:3	<b>sense</b> 9:25 55:11	106:14
<b>run</b> 8:12 14:20	56:18 61:9	141:8,11 142:25	<b>sent</b> 79:7 101:21	<b>silently</b> 27:25
<b>running</b> 83:6	65:14,15,17	143:8,13,23	108:12,12 130:9	<b>silly</b> 72:14,15
<b>rush</b> 77:10 78:2	75:15,18 78:4	144:2	<b>separate</b> 100:21	<b>sink</b> 94:10
78:21 79:1 80:5	82:14 89:18	<b>school</b> 5:7	<b>separately</b> 143:20	<b>sir</b> 74:16
80:9,10 81:20,22	138:13	<b>schultz</b> 130:14	<b>sergeant</b> 1:6 2:6	<b>sisters</b> 131:25
<b>russ</b> 25:4,10 28:19	<b>says</b> 4:5 45:2 75:9	130:19,21	128:1	<b>sit</b> 23:23 27:24
34:10,20 35:1,19	75:10 77:6,14,18	136:21 138:18	<b>serve</b> 11:5,11	32:14 35:4
37:6 41:12 42:3	77:19 78:6	141:7 142:5	15:13	38:12 39:18
43:11 48:14,18	121:11 122:24	<b>schwartzs</b> 42:15	<b>served</b> 11:8	50:24 64:13,15
49:22 50:18	<b>scenario</b> 90:16,16	<b>scott</b> 1:3 2:3	<b>serves</b> 20:17	79:20 81:21
52:1,20 53:3	<b>scene</b> 17:15 30:11	<b>scrupulously</b>	96:13	84:1 93:5,10
55:7 59:5 60:21	30:19,24,25 31:9	11:19	<b>set</b> 14:19 21:9	103:15 117:17
61:6 70:10 71:6	31:10,16,22 32:7	<b>search</b> 92:16,18	67:2 70:19	123:20
77:21 80:12	32:9,12 62:16	93:12 100:23	109:14 145:19	<b>sitting</b> 13:4 27:21
82:5,10 83:5,16	64:23 96:14	105:23 106:2	<b>setting</b> 42:8	104:6
84:12,23 85:6,12	<b>schimweg</b> 21:22	113:19,23	<b>settled</b> 89:19	<b>situation</b> 18:3,16
85:15 86:12,21	22:19 31:11,13	114:10 117:5,14	<b>setup</b> 88:7 89:15	20:3,16 21:5
93:23 94:14,24	104:14	<b>second</b> 30:16	89:16	29:5 114:20
96:2 106:18	<b>schock</b> 2:19 4:7,9	37:17 63:4	<b>seven</b> 10:16,17,18	136:10
107:12 116:1	4:13,23 5:1 11:1	73:23 75:25	48:2,3 119:16,16	<b>six</b> 2:11 8:3 10:16
123:10,20	26:5,16 36:24	80:25 88:5	<b>severe</b> 101:22	74:2
128:24 129:11	37:4 40:2 42:5	90:11 102:10	<b>shed</b> 133:23 134:5	<b>sleep</b> 18:9,18
132:1 133:13,23	50:20 51:17,20	105:4 122:17	<b>sheriff</b> 19:11	<b>slightly</b> 26:5
135:9 137:23	51:21 54:6	133:10,12,22	22:16 31:14	79:24
138:4,15 142:21	58:16,18,22,24	135:1 137:16	80:8 104:12	<b>slippers</b> 123:15
	59:10 60:19			



slowly 76:3	16:4	23:8 24:18,23	28:20 49:12	stopping 4:24
smith 40:14 41:4	specialize 9:14	25:20 26:1	53:23 55:4	story 76:24 77:1
41:16 42:14,18	specific 10:7,14	30:22 32:20	60:13 61:6	straight 94:25
smothering 41:13	22:13 23:25	33:1,5,23 34:6	65:22,24 71:10	street 2:14 3:2,7
snowman 126:14	27:23 29:6	34:19 39:13	71:16,17,18 72:6	strong 112:5
126:15	37:23 51:3,6	40:22 44:16	72:20 78:1,12,19	stronger 131:13
sofa 32:9,15,17	56:22 86:4,16,23	45:23 46:1,19	78:21,24 79:21	131:15
solid 47:22,24	87:24 91:23	50:14 51:11,14	79:25 82:18,20	stuff 125:17
solo 5:21	92:7 93:14	52:12,17 55:13	83:12,16 84:8	stupid 109:7
somebody 19:8,10	124:18 134:17	55:20 56:16	85:14,17 95:17	subject 49:8 63:7
28:3 33:14,15,18	specifically 10:10	58:25 60:3,14,20	97:15 98:20,25	95:18
46:2 51:4 53:6	10:13 20:4,5	62:4,20,21 64:1	103:11,17	submit 36:11 41:4
54:8 67:6	22:6,12 27:17	64:9 66:4,7,15	105:20 108:3	70:23 98:10
somebodys 38:8	28:5,11 29:5	68:1 69:3,8	109:23 110:3,5	submitted 71:10
somewhat 64:4	31:5 34:4 41:23	70:10 75:10	111:18 112:15	71:16 72:7,11
89:10	42:19 57:14	79:16 82:4,4,11	112:16 115:14	83:12,13 120:11
soon 20:25 21:1	62:18 70:13	82:16 83:4,8	116:4,12 119:10	125:23 128:2
21:14 125:3	72:3,21 73:15	88:11 91:2	119:14 120:2,7	subscribed
soppiness 88:6	77:4 78:10,11	96:24 97:3	120:10,14,17	144:15
sopping 65:6,7	79:17 80:19	104:13,18	121:1 127:2	substance 37:18
soppy 89:14,17	84:6 95:25	105:18 119:9	128:2 130:20,22	105:24 106:1,21
sorry 12:8 13:2	101:20 102:9	120:20 122:2	130:24 137:18	substantial 85:10
88:21 109:3,18	106:23 108:10	138:3	137:21	sued 6:19,21
126:8 137:22	111:11 132:10	squads 53:2	statements 26:8	sufficient 84:4
sort 10:4 28:3	134:4 135:16	st 2:14,24 3:7,11	41:11 47:7	128:3
32:4 38:13	138:13	5:7,10 35:6	49:23 59:24	suggest 77:21
41:16 55:12	specifics 21:7	145:6	62:15,20 67:23	93:20
79:22 80:24	29:10 41:1	stab 123:12	73:11 78:25	suggesting 132:21
113:11 122:16	specified 138:9	staff 137:12	79:3,4,20 85:19	suggestion 71:5
134:12	speculate 28:24	stages 68:15	86:23,25 88:2	suggestions 29:21
sound 18:18 19:9	speculating 19:3	standard 73:16,18	89:9 129:8	29:23 30:1
23:15,21 36:13	22:15 28:22	118:14	133:12 135:11	suicide 18:6,7
36:16 41:5	38:9 58:10	standing 56:18	states 1:1 2:1	24:14,20 90:23
43:20 48:8	72:13	start 4:23 5:2 82:9	129:1,13,15	120:8 123:11
70:24 80:18	speculation 36:23	109:14	stating 61:3	suit 145:16
83:23 94:16	36:25 66:10	started 5:21 7:4	station 28:14	suite 2:19 3:2
97:25 98:6	69:24 70:1,2	12:1 60:6 67:16	34:20	sumac 16:23
104:23	110:13 113:1	102:10 137:15	stay 13:21,25	support 71:25
sounds 23:17 48:9	spoke 27:9 28:4	starting 42:5	stayed 10:1 13:17	supportive 131:9
90:4 104:25	33:18 71:15	119:25	13:19 14:6	supposed 8:9
speak 31:23 34:9	80:5,9 81:20	state 4:11 8:22	stephanie 40:16	10:11
62:18 81:6	84:23 86:10	54:12 78:10,11	43:6	sure 8:12 11:20
93:19 105:21	87:16 91:6 98:4	128:24 129:2	steward 11:6,14	11:22 16:11
119:8	142:3	132:15 138:23	stiff 68:17 87:9	18:17 21:13
speakers 10:4	spoken 37:4,12	138:23 139:2	88:5 89:2 90:19	22:16 23:20
speaking 22:12	80:7 105:22	145:3	stiffness 68:10,13	26:16 27:11,20
61:1 80:10	spot 58:21	stated 35:18 52:9	87:3 88:3 89:22	28:12 30:4,21
82:13 119:12	squad 20:8,12	59:4 69:7 87:4	stop 12:11	38:19 39:22
special 8:6,20	21:9,19,23 22:24	statement 16:8	stopped 60:7	41:10,15 43:13

46:10,11 47:8 49:22 51:4 52:14 59:11 60:10 62:14 70:17 71:1 72:22 73:17 77:5 81:9 82:8 86:15 87:11,22 92:13 95:10 96:19 97:22 102:24 106:20 107:18 111:17 117:14 118:18 124:8 125:6,24 130:25 133:6 135:16 140:13 142:6 surely 58:13 surface 108:22,24 109:1 suspect 25:5,10 33:2,6 34:7,9 52:20 53:24 54:2,14 55:3 suspects 27:15 33:8 suspicious 17:22 17:24 swanson 2:21 4:15,15 74:13 101:14 102:14 103:10 119:24 128:10,13 136:21 swearing 8:8 sweating 36:7 sweeney 50:21 swing 131:20 swiping 97:6 switch 122:5 sworn 4:3 99:1 144:15 145:8 system 8:10,23 15:2,6 systems 38:21	tac 98:2 tacks 114:21 take 8:20 9:17 53:25,25 58:16 62:2 67:15 92:13 93:1,4 119:3 128:20 139:5 takeaways 10:8 taken 1:15 2:9 25:2 35:11 96:12,14 102:13 144:9 takes 90:19 talk 17:18 22:11 24:6 50:18 62:10 66:1 78:18 80:25 81:1,3,12 82:10 93:17 97:20 102:22 109:8 114:19,20 133:8 136:11 talked 51:5 65:1 79:21 81:10 97:23 99:15 142:9 143:18 talking 17:20 18:1 29:1 31:11 40:23 41:22 50:20 59:9 64:13 67:17 69:2 82:3,20 94:17 122:16 132:10 143:15 talks 121:5 124:3 125:12 tax 11:7,14 team 100:18 technology 131:13 tell 5:13 6:2,16 7:22 9:6 15:25 17:5 27:12 28:6 37:14 42:17 48:3 63:5 71:8 73:14 75:2,3 94:5,22 100:2,12 100:20 105:24	106:21 108:20 113:16 119:22 125:15 130:14 131:21 134:15 136:20,24 137:3 140:8 141:3,11 141:18 142:1 telling 49:18 52:1 52:6 70:3,4 75:13 temperature 65:18 68:5 87:4 term 35:20 81:22 87:17 terms 80:11 test 78:7 91:17,19 91:22,24 92:10 92:15,23 93:20 94:16,19,21 95:22 96:3 97:17 98:2,3,8,9 98:21 99:9 101:5 102:23 103:2,8,14 105:15 107:21 107:24 108:15 109:1,19,25 110:6 115:21 116:20,22,24 117:4,20,25 125:25 137:19 137:24 tested 108:11,13 125:23,24,24 testified 85:20 126:9 132:12,14 132:17 testify 4:3 101:25 118:6 145:8 testimony 50:15 51:13,22 55:2 59:8 87:6 88:8 101:16,19,24 102:1 104:20 112:10 114:13 114:16,17,18 126:6 127:5,25 132:24 134:13 139:17 144:12	145:14 testing 91:25 108:12 tests 76:8 79:1 thank 51:18 59:14 124:19 141:21 thats 7:3 10:22 17:19 18:8 19:4 22:22 24:16 29:3 30:2 31:8,8 34:24 36:25,25 38:17 42:9 43:7 43:15,21,22 47:6 50:2,2,23 51:14 51:17,19 52:9,9 54:24 55:1,2,9 56:2,5,11,12 60:6,11 62:16 64:18 67:18 68:20 70:1,4,20 71:18 72:12 73:2 74:4,25 77:23,25 78:13 78:15 80:14 82:24 85:2,17 88:15 98:24 99:2 100:11,19 102:19 103:24 108:22 110:8 113:17 114:15 117:22 118:3 120:15 122:15 126:11,17,18,19 126:20 127:3,23 127:25 128:4 130:1 134:7,7 137:11 144:2 theory 71:25 85:15 93:22 94:3,5,13,22,23 94:24 95:2,3,4 95:14,18 107:13 107:14 125:18 139:9 therell 72:15 theres 10:7 12:24 18:7 29:12 30:4 30:10 32:1 42:12,12 55:3	62:13 70:17 79:15 95:11 112:17 113:25 125:17 126:21 128:14 143:11 theyll 17:16 theyre 7:19 17:15 26:22 32:3 56:12 60:18 112:24 theyve 39:1 thing 10:5 32:4 35:1 41:22 53:22 77:18 things 11:16 15:20 22:21 27:12 28:7,13,16 29:2 31:24 36:6 36:7,15,16,19 53:20 57:20 60:15 77:19 99:21,22 100:4 109:21 113:12 123:18 128:6,8 133:9 think 6:10,20 7:17 7:25 10:2 11:5 11:16 14:10 15:17 18:21 19:1,2,5 20:6 21:25 22:17,24 25:7,9 27:9 28:8 28:9 30:12 34:13 35:20 37:24 41:15 44:12 46:2,8 48:5 51:17 53:16,25 54:4 58:9,9,12 63:1 70:18 77:18 80:9 85:1 87:12 92:25 93:8 94:7 94:7 96:13,13 98:5 103:9 104:20 105:16 109:9 112:23 119:5 121:8 122:19 123:10 123:11,12,13,14
--	---	---	--	---

T

tab 74:10,10,11  
119:21  
table 56:21 98:1

123:17,20 127:7 127:10,20 128:1 129:22 131:16 131:17 132:3,4,5 135:21 136:6,14 139:8,10 140:13 140:16 141:6 142:4 143:18 <b>thinking</b> 85:1 123:1 <b>third</b> 2:14 3:2,7 30:16 110:18 116:9 145:6 <b>thirdparty</b> 136:10 <b>thirtythree</b> 74:13 <b>thought</b> 29:1 39:17 46:8 48:13 52:4,6 58:25 59:1 69:8 77:10 85:19 117:7 120:8 122:2,5 123:19 131:12,15,19 133:14,15 138:9 138:13 139:15 <b>thoughts</b> 64:6 <b>thousand</b> 7:4 <b>three</b> 9:24 13:20 14:5 23:1 59:21 69:16 91:1 125:21 <b>tiles</b> 108:7 <b>time</b> 8:19 12:4,10 17:5 23:25 24:3 24:11 27:19 30:10,15,17 37:8 37:9 40:11 44:5 45:9 46:7 47:25 48:4,7 52:23 54:19,22 57:17 58:4 62:1 63:2 64:1,2 69:10,20 71:13 72:7 76:6 77:7,19 78:3 81:12,20 83:2,14 84:9,11,12,17,22 85:10,23 86:5,14 86:14 87:15,17 87:25 88:9	93:22 95:7 96:15 97:13 98:18 99:11,14 99:19 100:13,16 101:4 104:4 105:18 109:14 110:19 111:12 116:6,7 117:18 124:9,13 127:5 137:15 139:4 140:23 <b>timeline</b> 87:1 <b>times</b> 23:1 86:10 113:16 123:12 128:10 130:10 139:11,12 <b>today</b> 11:2,24 12:10 27:21 36:1 38:12 62:25 93:5,10 94:3,4 104:6 <b>told</b> 18:15 31:6,13 31:13,14 60:18 61:18 97:25 100:14 114:7 117:10 127:10 131:12 133:21 137:13 138:2 <b>tom</b> 142:14 <b>top</b> 74:3 <b>total</b> 12:8 <b>totally</b> 114:2 <b>touch</b> 65:23,25 68:8 87:8 <b>touched</b> 90:10 122:1,5 <b>touching</b> 145:9 <b>towel</b> 93:23,24 94:9,25 95:1,5 125:18 <b>towels</b> 122:7,7,9 <b>town</b> 33:18 <b>track</b> 133:20 <b>trained</b> 99:23 <b>training</b> 5:4 8:6 8:20 9:7,8,15 11:4 <b>transcript</b> 42:12 102:4 144:9,11	<b>treat</b> 14:19 <b>trial</b> 7:2,17 37:17 38:25 44:4 63:19,20 100:16 101:10,16 102:10,10 128:15,21 130:13,17 131:9 131:17 132:9,12 133:3,4,7,10,12 133:22 135:2 137:12,16 138:1 138:15 139:12 141:3,12 144:1 <b>trials</b> 7:13 44:5 101:7 102:6 <b>trickled</b> 62:17 <b>trickling</b> 90:25 <b>tries</b> 112:25 <b>trigger</b> 42:1 <b>triggers</b> 29:11 <b>troy</b> 5:24 <b>true</b> 51:2 53:9 54:20 55:1,4,5 89:15 109:24 117:21,22 144:11 145:13 <b>trust</b> 56:10 90:3,5 90:13,20 132:7 132:19,22,25 133:5 <b>truth</b> 4:4,4,4 49:19 52:1,6 57:23 60:7 102:3 145:8,9 <b>truthful</b> 61:21,21 <b>try</b> 6:11 7:13,16 26:8 34:3 57:22 57:24 63:21 75:11 88:14 112:6 117:23 <b>trying</b> 14:8,9 25:23 27:5 28:1 83:4 94:15 99:5 <b>turn</b> 67:4 69:14 91:16 <b>turned</b> 54:11 102:16,17 <b>turns</b> 24:22	<b>two</b> 7:4,25 9:13,24 10:8 13:22,24 23:1,18 26:22 35:5 40:4 49:16 49:17 64:17 68:20 69:12 85:18 88:5,5 90:11,17,25 94:11 101:7 102:6 118:11 134:3 <b>twohour</b> 90:20 <b>type</b> 9:14 134:18 <b>types</b> 16:5 <b>typical</b> 31:8 <b>typically</b> 17:13 22:15 26:25 29:4,8 37:1 57:3 <hr/> <b>U</b> <hr/> <b>u</b> 141:22,23 142:3 <b>uhhuh</b> 7:9 20:21 121:7 <b>ultimate</b> 60:10 <b>ultimately</b> 130:11 <b>understand</b> 8:5 9:22 14:17 18:10 26:14,15 28:1 30:20 35:4 36:8,20 39:12 40:4 49:21 52:13 57:8 66:2 70:18 77:25 87:21 88:24 92:12 114:5,16 144:3 <b>understanding</b> 11:1 38:12 48:1 89:21 91:21 117:3 124:9,14 134:7 <b>understood</b> 39:11 <b>unfair</b> 6:20 <b>united</b> 1:1 2:1 <b>university</b> 5:8,11 <b>unquote</b> 50:16 103:25 <b>unrelated</b> 114:2 <b>unseated</b> 13:6 <b>updates</b> 9:15	<b>use</b> 73:25 87:17 98:15 99:12 109:1,10 <b>usually</b> 23:9 <hr/> <b>V</b> <hr/> <b>vacuum</b> 6:19,22 <b>vague</b> 26:13 60:16 88:11 92:12 103:24 113:1 <b>vaguely</b> 62:7 <b>variety</b> 90:6 <b>various</b> 10:4 33:10 45:20 56:15 <b>verbally</b> 114:25 115:11 <b>verdict</b> 6:11,24 <b>verify</b> 60:18 <b>versus</b> 88:7 <b>victim</b> 29:13 54:21 73:22 <b>victims</b> 107:8 <b>video</b> 1:13 2:9 46:8 96:12,14 <b>visible</b> 122:12 <b>visited</b> 30:11 <b>volume</b> 1:14 143:1 144:5 <b>vs</b> 1:5 2:5 <hr/> <b>W</b> <hr/> <b>w</b> 2:18 <b>wait</b> 30:2 <b>waited</b> 125:5 <b>waiting</b> 4:24 <b>walk</b> 31:17 32:6 <b>walked</b> 81:4 <b>want</b> 4:23 5:3 12:15 16:12 25:24 28:23 31:2,21 41:25 51:18 58:16 59:3 69:14 88:13 99:24 109:14 113:19 114:16 143:2,16 <b>wanted</b> 14:2 31:7 31:15 102:18 129:4
---	---	---	---	---

wanting 142:5	weve 19:4 27:3	76:12,15,18,21	126:11 133:10	1300 2:19
warming 128:8	49:23 59:3 68:4	81:25 138:21	142:9 143:25	13th 9:7
warrant 92:16,18	74:1 111:1	work 5:16,19	year 7:14 8:4 9:4	14 3:2
93:12 100:24	143:18,23	11:12,13,23	9:13 113:20	1445 74:1,8,17
105:23 106:2	whats 35:1 36:18	14:12 15:23	years 10:16 15:16	15 47:1,12 49:14
113:19 114:10	74:6,6,10 81:2	20:20 21:5	42:20 105:1	52:22 67:5
114:23 117:5,14	109:3 119:21	36:10 43:18	youd 111:20	87:17
wasnt 23:20,23	120:16 136:9	44:22 56:13	120:19	150 132:15
44:20 45:19	143:16	75:11 99:23	youll 72:5 141:3	16 74:22 121:4
48:13 50:14	whereabouts	115:3	youre 9:18 10:11	16cv01175jar 1:4
54:14,16 57:14	43:11,16 44:17	worked 13:17	14:15 16:15	2:4
61:13 64:2	46:16,22 53:13	45:4,17 105:13	20:8 25:11	1968 119:18,25
66:23 86:23	53:21 59:1	working 12:7	26:15 27:21	1969 121:5
90:24 94:10	61:16	13:12 15:7	30:7,22,22,23	1st 7:7
107:8,15 108:4	whereof 145:19	51:11 108:21	31:11 36:9	
110:9 122:2	whichever 116:9	122:3	50:24 55:19	2
127:11,14 136:3	wholly 143:20	works 8:22 55:20	59:9 67:10 69:2	2 88:23
136:3	whos 15:7	92:1 127:4	70:4 74:15 75:3	20 85:25 87:18
watch 44:3	wide 90:8	world 109:9	76:9 78:6 87:14	90:15 139:4
watched 43:24	wife 42:3 46:24	worried 14:7	100:8 109:3	200 3:2
44:2	48:14 98:5	worst 90:16	119:22 125:15	2000 2:24
way 11:15 18:15	win 132:4,5	wouldnt 17:24	130:24 132:5	2006 5:12,15
39:19,22 53:7,12	window 90:20	42:24 43:2 92:7	youve 7:25 10:15	201 144:16
60:24 61:15	wings 107:10	98:18 99:19	12:10 41:15	2010 3:11 13:12
66:7 67:21	winnable 131:16	114:10 121:2	79:20 106:11	2011 7:10,18 9:4,7
72:13 78:23	131:18	134:21 141:5	115:24 116:3	12:1,20 15:8
88:14 102:16	wintertime 80:16	writer 22:17	127:10	17:2 18:1,2 44:6
109:12 126:7	wish 78:23	55:16 75:9		44:17 61:17
134:23 140:17	witness 34:24	127:11	Z	80:1 140:16
143:11	47:7 51:9 133:1	writing 115:25	0	2012 108:9
wearing 90:12,12	133:11 144:8	145:12		2016 142:4
wednesday 77:15	145:11,12,14,19	written 36:21	00 40:6 45:22,22	2017 1:16 2:10
weekend 75:11	witnessed 64:21	91:3,11,15 106:3	46:17,17,22,22	144:10 145:20
weeks 51:23	64:22,23,24	115:13	47:1,23 48:10,19	211 2:13 3:7 145:5
weigh 60:15	witnesses 11:8	wrong 74:12	48:19 49:13,13	23 1:16
weighed 72:25	24:25 43:10	wrote 42:23 91:5	49:20,25,25 51:9	23rd 2:10 144:10
weighing 72:17	49:18 50:6 51:2	91:6	51:9 52:2,2,23	24hour 34:15
went 5:4,7 6:24	52:1 60:15		55:8,8 59:1,2,5,6	70:14 71:23
9:9 21:2,14,19	138:16	X	59:18,18,20,20	25 15:16
22:8 23:14	womack 4:12	Y	61:16,17 84:18	2654602 1:25
26:17,20 28:19	won 8:17		85:7,7,22 132:15	27th 17:1,10
28:21 30:18	wont 112:18	yeah 6:10 10:17	133:25	44:17 45:22
33:21 35:6,8,9	word 24:3 31:25	10:19 14:10	000 132:15	61:17,25 134:1
40:4 45:20 49:5	32:1 65:8,8	18:17 20:17,21	1	28th 23:14 24:7
51:4 52:14	66:22,24 67:2	23:22 33:11	10 58:18 62:2	24:11,18 25:1
56:22 64:7,9	68:10,11 89:14	42:5 43:2 68:7	100 93:5	30:12,14 35:5
94:14 113:23	108:23 109:3	82:22 91:24	11 58:18	37:6 40:5 42:14
west 3:2	words 16:12	95:9 105:16	12 104:8	29th 23:14 69:15
wet 65:9	75:16,18,22	106:13 119:25	13 9:18	69:17 70:11,24
		122:1 124:5		79:13 80:1,3,17



84:3,13 96:9	7 47:1,1,12,23			
110:11,17 111:2	48:7,10,10 49:14			
111:25 112:5	49:20,20 52:22			
115:6,24 116:15	52:23 74:22			
116:23 117:7,21	84:18 85:22,25			
118:9	87:17,18 90:15			
2nd 145:20	133:25 139:4			
3	7777 2:19			
30 40:6 48:7,10	8			
49:20	88 88:22			
30th 23:14 74:22	9			
80:1,4	9 46:17,22 48:19			
31 1:25	49:13,25 51:9			
31st 23:15 104:20	52:2,25 55:8			
3rd 83:12,20,22	59:2,6,18,20			
84:5 110:12	61:17,25 85:7			
116:4,8 117:20	86:2 90:15			
117:25	139:4			
4	911 84:24 85:12			
4 1:4 2:4	85:23 86:2,12			
40 52:25 90:15	87:18			
41 86:2 139:4	9616306 1:25			
411 1:22 2:15				
145:3,22				
440014 1:23				
4th 44:10 84:5				
116:8,9 117:20				
5				
5 45:22				
50 61:25				
54 119:24				
55 123:12				
6				
6 40:6,6 45:22				
46:17,22 48:19				
49:13,25 51:9				
52:2 55:8 59:1,5				
59:18,20 61:16				
85:7				
63105 2:20				
63117 3:11				
63144 1:24 2:24				
63301 3:8				
64105 3:3				
7				